



**LOCAL  
GOVERNMENT  
GUIDE**

[www.udot.utah.gov](http://www.udot.utah.gov)





State of Utah

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
*Executive Director*

CARLOS M. BRACERAS, P.E.  
*Deputy Director*

To our Local Government Partners,

The Utah Department of Transportation (UDOT) recognizes that federal and state funding is an important part of any Local Government Agency's transportation plan. The purpose of this manual is to assist local governments in obtaining and properly utilizing these funds.

Federal aid local government projects have the same priority to UDOT as our own state projects. UDOT and Local Government Agencies are partners in their successful completion. UDOT's role is to provide oversight to the LGA and to assist in the timely delivery of projects.

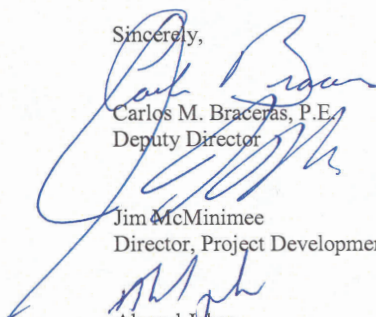
Governor Huntsman has called attention to the development of transportation in our state as a necessary and vital part of Utah's economic success. Our transportation system depends on the state highways that UDOT maintains and the local roads owned and operated by cities and counties. In order to realize Governor Huntsman's goal of economic success, we must continually improve our entire system.

The Local Government Manual of Instruction defines how to apply and qualify for Federal and State funding for transportation purposes and how to execute projects once funding is secured. It institutes a uniform and consistent statewide process for following the applicable requirements associated with each funding type.

The responsibilities of a Local Government Agency (LGA) that applies for funding and is selected are threefold. They will need to provide matching funds for the project at defined intervals as the project progresses. They must complete their project in a timely way, beginning when the project is in its first funded year on the Statewide Transportation Improvement Program (STIP) through the year it is programmed for construction. LGAs accepting federal aid are expected to meet all federal requirements in the execution of their project.

We look forward to working with local governments to identify and implement more efficient, effective, and streamlined ways of putting Federal and State funds to optimal use.

Sincerely,



Carlos M. Braceras, P.E.  
Deputy Director

Jim McMinimee  
Director, Project Development



Ahmad Jaber  
Director, Systems Planning and Programming



**PART 1 INTRODUCTION**

1.1	Partnership for Success .....	1
1.2	Federal Highway Administration .....	1
1.3	Purpose and Organization .....	2
1.4	Authority .....	2
1.5	Manual Updates .....	2
1.6	Acronyms .....	3
1.7	UDOT Contacts .....	4
1.8	Additional Resources .....	6

**PART 2 OVERVIEW**

2.1	Federal and State Aid Funds .....	9
2.2	Process Flow Chart and Timeline .....	10

**PART 3 CONFLICT RESOLUTION PROCESS**

3.1	Planning and Programming Phase .....	15
3.2	Design Phase .....	16
3.3	Construction Phase .....	17
3.4	Financial Audit and Project Closeout Phase .....	17

**PART 4 PLANNING AND PROGRAMMING PHASE**

4.1	Local Government Introduction to Federal and State Aid.....	19
4.2	Joint Highway Committee (JHC) .....	23
4.3	Metropolitan Planning Organization (MPO) .....	26
4.4	Transportation Enhancement Funds.....	28
4.5	Safety Funds.....	31
4.6	Non-Project Specific Funds.....	33

**PART 5 DESIGN PHASE**

5.1	Cooperative Agreement .....	35
5.2	Consultant Design Contract.....	38
5.3	Environmental Document and Preliminary Design .....	42
5.4	Utility Agreement .....	45
5.5	Cooperative Agreement Modification – Right-of-Way .....	45
5.6	Final Design .....	48
5.7	PS&E Review .....	51
5.8	Cooperative Agreement Modification – Construction .....	52
5.9	Consultant Construction Contract .....	54
5.10	Advertising Packet .....	58

**PART 6 CONSTRUCTION PHASE**

6.1	Advertising .....	61
6.2	Construction Administration.....	62
6.3	Materials Testing .....	63
6.4	Project Inspection.....	64
6.5	Project Closeout .....	65

**PART 7 CONTRACT AUDITS AND FINANCIAL PROJECT CLOSEOUT**

7.1	Project Contract Audits .....	67
7.2	Financial Project Closeout .....	68

**PART 8 APPENDIX**

	Checklists and Forms.....	71
--	---------------------------	----



## 1.1 PARTNERSHIP FOR SUCCESS

The strength of the Utah Department of Transportation (UDOT) depends on the strength of its programs. Federal Aid (FA) Local Government transportation projects are an important part of those programs. Local Government Agency (LGA) projects have the same priority to UDOT as state projects. UDOT and LGAs are partners in the successful completion of LGA projects.

## 1.2 FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration (FHWA) is the Federal agency most typically involved in transportation projects undertaken with Federal funding for the programs discussed in this manual. It has the authority and responsibility for implementing and monitoring Federal laws, regulations, and executive orders affecting these programs. When a project involves Federal funding, FHWA is involved according to these responsibilities, delegations, and agreements between FHWA and UDOT.

These agreements establish the respective roles and responsibilities of each agency in providing oversight of FA Highway Program activities. The current Oversight Agreement provides the full delegation of responsibility provided under the law, to UDOT complimented by program oversight by the FHWA Division Office.

Section 302, Title 23 of the United States Code (USC), requires that any state desiring to take advantage of the provisions of this title, have a state transportation department that has adequate powers and is suitably equipped and organized to carry out the required title duties to the satisfaction of the United States Department of Transportation (USDOT) Secretary. These duties include ensuring that states develop and complete projects in compliance with applicable laws, regulations, and approved standards. By requiring the completion of projects in accordance with the approved plans and specifications, FHWA assigned responsibility for contract administration and construction inspection to the state highway agencies.

Section 635.105, Title 23 of the Code of Federal Regulations (CFR), notes that the state highway agency is responsible for the construction of all FA projects and is not relieved of this responsibility by authorizing performance of the work by a LGA or another Federal agency. The state highway agency is responsible for ensuring that LGA projects receive adequate supervision and inspection and conform to approved plans and specifications.

This section of the CFR also explains that when a project is located on a street or highway over which the state highway agency does not have legal jurisdiction or when special conditions warrant, the state highway agency may arrange for the LGA with jurisdiction over the street or highway to perform the work with its own forces or by contract.

When the LGA performs the work with its own forces or by contract, the LGA is responsible for providing adequate supervision and inspection and ensuring that the project conforms to approved plans and specifications. The LGA monitors the quality of work on the project and the day-to-day activities and issues of its consultants.

The LGA shares costs with the Federal Government regardless of legal responsibility and assumes responsibility for the design, construction quality, and maintenance, as required.

## 1.3 PURPOSE AND ORGANIZATION

### - PURPOSE -

The UDOT Local Government Guide facilitates and guides LGAs and UDOT through the process of administering Local Government projects. Completeness and standardization are key to the success of this process.

UDOT and LGAs are subject to the provisions of this Guide. Information is also available on the UDOT web site <http://www.udot.utah.gov>. From this link, select the Doing Business tab, followed by the Local Government Assistance link.

### - ORGANIZATION -

The UDOT Local Government Guide organization facilitates quick access to key Local Government process information. The Guide's primary sections include:

- Part 1: Introduction
- Part 2: Overview
- Part 3: Conflict Resolution Process
- Part 4: Planning And Programming Phase
- Part 5: Design Phase
- Part 6: Construction Phase
- Part 7: Project Audits and Financial Project Closeout

## 1.4 AUTHORITY

This Guide references other UDOT manuals. The processes set forth in this Guide take precedence if there are conflicts between this and other manuals. This Guide represents the State of Utah standard for the programming, design, and construction of Local Government projects.

### - PLANNING AND PROGRAMMING PROCESS -

Carry out planning and programming activities in accordance with state laws, regulations, and directives.

### - DESIGN AND CONSTRUCTION PROCESS -

Design, construct, operate, and maintain non-National Highway System (NHS) projects in accordance with state laws, regulations, directives, safety standards, design standards, and construction standards.

## 1.5 MANUAL UPDATES

UDOT will update this manual to reflect modifications and changes to the Local Government process. UDOT Project Development will oversee updates and coordination with FHWA. Contact the UDOT Local Government Project Engineer if you have questions.



## 1.6 ACRONYMS

AASHTO.....	American Association of State Highway and Transportation Officials
ADA .....	Americans with Disabilities Act
ASTM.....	American Society for Testing of Materials
B&C .....	Class B and C Road Funds
CAMC.....	Cooperative Agreement Modification – Construction
CAMROW .....	Cooperative Agreement Modification – Right-of-Way
CATEX.....	Categorical Exclusion
CFR.....	Code of Federal Regulations
CMAQ .....	Congestion Mitigation and Air Quality
CMPO.....	Cache Metropolitan Planning Organization
DBE.....	Disadvantaged Business Enterprise
DMPO .....	Dixie Metropolitan Planning Organization
EA.....	Environmental Assessment
EAC.....	Enhancement Advisory Committee
EIS .....	Environmental Impact Study
ePM .....	Electronic Program Management
FHWA .....	Federal Highway Administration
FMIS .....	Financial Management Information System
FONSI.....	Finding of No Significant Impact
FTA.....	Federal Transit Administration
HBP.....	Highway Bridge Program
IA.....	Independent Assurance Program
ICE .....	Independent Cost Estimate
JHC .....	Joint Highway Committee
LGA.....	Local Government Agency
LTAP.....	Utah Local Technical Assistance Program
M&P .....	Measurement and Payment
MAG .....	Mountainland Association of Governments
MAP .....	Materials Acceptance Program
MPO.....	Metropolitan Planning Organization
MS&T .....	Minimum Sampling and Testing Requirements
NHS .....	National Highway System
NURB .....	STP Non-Urban Funds
PDBS.....	Project Development Business System
PS&E.....	Plans, Specifications, and Estimates

QA.....Quality Assurance  
 QC.....Quality Control  
 RFQ.....Request for Qualifications  
 ROR .....Run-off-Road  
 SAFETEA-LU...Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users  
 SMURB .....STP Small Urban Funds  
 SPA .....State Park Access  
 STIP .....Statewide Transportation Improvement Program  
 STP.....Surface Transportation Program  
 TE.....Transportation Enhancements  
 TIP .....Transportation Improvement Program  
 UDOT .....Utah Department of Transportation  
 USDOT .....United States Department of Transportation  
 USC.....United States Code  
 UTC .....Utah Transportation Commission  
 WFRC .....Wasatch Front Regional Council

## 1.7 UDOT CONTACTS

*The following information is current as of July 1, 2006.*

### **- LOCAL GOVERNMENT ENGINEERS -**

Local Government Programs Engineer: Brett Hadley, 801-965-4366, bhadley@utah.gov  
 Local Government Programs Deputy Engineer: George Deneris, 801-957-8520, gdeneris@utah.gov  
 Local Government Project Engineer: Catherine Cutler, 801-965-4708, ccutler@utah.gov

### **- PROJECT DEVELOPMENT: 801-965-4173 -**

Advertising Coordinator: Marge Sanchez, 801-965-4079, marjoriesanchez@utah.gov  
 Central Construction and Materials Division: 801-965-4346  
 Consultant Services Financial Screener: Raeleen Sanchez, 801-965-4138, rmaxfield@utah.gov  
 Consultant Services LG Contract Administrator  
 Consultant Services Manager: Gaye Hettrick, 801-965-4427, ghettrick@utah.gov  
 ePM: Elaine Fanning, 801-957-8537, efanning@utah.gov  
 Engineering Technology Systems Group: 801-965-4865  
 Environmental Program Manager: Shane Marshall, 801-965-4384, smarshall@utah.gov

Railroad & Utilities Engineer: Michael Seely, 801-965-4176, mseely@utah.gov

Right-of-Way Section: Lamar Mabey, 801-965-4238, lmabey@utah.gov

Specifications Engineer: Richard Miller, 801-965-4289, richardmiller@utah.gov

- SYSTEMS PLANNING & PROGRAMMING: 801-965-4129 -

Class B&C Road Fund Engineer: Brett Hadley, 801-965-4366, bhadley@utah.gov

Class B&C Road Supervisor: Jeff Ericson, 801-965-4352, jericson@utah.gov

Functional Classification: Wayne Jager, 801-965-4185, wjager@utah.gov

FTA Section 5310 Specialized Program Manager: Tracy Young, 801-965-4360, tracyyoung@utah.gov

FTA Section 5311 Rural Public Transit Program Manager: Tumau La'ulu, 801-964-4591, tlaulu@utah.gov

Mineral Lease Fund Administrator: Kevin Anderson, 801-964-4542, kevinanderson@utah.gov

Risk Management Administrator: Warren Grames, 801-965-4272, wgrames@utah.gov

Statewide Systems Planner: John Quick, 801-965-4362, jquick@utah.gov

Safety Programs Engineer: Rob Clayton, 801 964-4521, robertclayton@utah.gov

Safety Studies Engineer: Peter Tang, 801-965-4285, ptang@utah.gov

STIP Coordinator: Bob Pelly, 801-965-4169, rpelly@utah.gov

Transit Plans and Program Director: Leone Harwood, 801-964-4508, lharwood@utah.gov

Transportation Planner: Tim Boschert, 801-965-4175, tboschert@utah.gov

- REGIONS -

Region 1 Project Management: Julia Winfield, 801-620-1680, jwinfield@utah.gov

Region 2 Project Management: Teresa Booth, 801-887-3431, tbooth@utah.gov

Region 3 Project Management: Arty Johnson, 801-222-3416, artyjohnson@utah.gov

Region 4 Project Management: Gernice White, 435-893-4764, gernice@utah.gov

- COMPTROLLERS: 801-965-4858 -

## 1.8 ADDITIONAL RESOURCES

*The following are current as of July 1, 2006.*

### - MANUALS -

<http://www.udot.utah.gov/index.php/m=c/tid=110>

Construction Manual of Instruction: <http://www.udot.utah.gov/index.php/m=c/tid=316>

Consultant Services Manual of Instruction: <http://www.dot.state.ut.us/index.php/m=c/tid=615>

Design Process Manual: <http://www.udot.utah.gov/index.php/m=c/tid=721>

Environmental Process Manual of Instruction: <http://www.udot.utah.gov/index.php/m=c/tid=1328>

Materials Manual of Instruction: <http://www.udot.utah.gov/index.php/m=c/tid=644>

Right-of-Way Manual of Instruction: <http://www.udot.utah.gov/index.php/m=c/tid=199>

Roadway Design Manual of Instruction: <http://www.udot.utah.gov/index.php/m=c/tid=110/item=20312/d=full/type=1>

Specification Writers' Guide: <http://www.udot.utah.gov/index.php/m=c/tid=719>

Statewide Transportation Improvement Program (STIP) Development Process Manual and Timeline: <http://www.dot.state.ut.us/index.php/m=c/tid=551>

Structural Design and Detailing Standards Manual: <http://www.udot.utah.gov/index.php/m=c/tid=282/item=18241/d=full/type=1>

### - METROPOLITAN PLANNING ORGANIZATIONS -

Cache Metropolitan Planning Organization (CMPO): <http://www.cmpo.info/>

Dixie Metropolitan Planning Organization (DMPO): <http://www.fcaog.state.ut.us/dep/mpo/index.php>

Mountainland Association of Governments (MAG): <http://www.mountainland.org/>

Wasatch Front Regional Council (WFRC): <http://www.wfrc.org/>

### - PROJECT DEVELOPMENT -

Concept Cost Estimate Spreadsheet: <http://www.udot.utah.gov/index.php/m=c/tid=721>

Consultant QC/QA Plan Responsibility Form: <http://www.udot.utah.gov/index.php/m=c/tid=287>

Electronic Program Management (ePM): <http://www.udot.utah.gov/index.php/m=c/tid=716>

Federal Advertising Checklist and UDOT Special Provision Related Steps: <http://www.udot.utah.gov/index.php/m=c/tid=302>. *From this link, select the current year Standards link, followed by the current year Project Checklist link.*

Federal Highway Administration Guidance for Preparing and Processing Environmental and Section 4(f) Documents – Technical Advisory TA 6640.8A: <http://environment.fhwa.dot.gov/projdev/impTA6640.asp>

Federal Highway Administration Regulation 23 CFR 771 - Environmental Impact and Related Procedures: [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/23cfr771\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/23cfr771_02.html)

Flexible Match Guidelines: <http://www.udot.utah.gov/index.php/m=c/tid=287>

Flexible Match Proposal Form: <http://www.udot.utah.gov/index.php/m=c/tid=287>

Local Government Project Process: <http://www.udot.utah.gov/index.php?m=c&tid=1358>

Measurement and Payment (M&P) Document: <http://www.udot.utah.gov/index.php/m=c/tid=302>. *From this link, select the current year Standards link, followed by the current year Measurement and Payment link.*

Project Development Business System (PDBS): <http://www.udot.utah.gov/index.php/m=c/tid=899>

Project Insurance Requirements: <http://www.udot.utah.gov/index.php/m=c/tid=287>

Project Specification Creation Instructions: <http://www.udot.utah.gov/index.php/m=c/tid=302>. *From this link, select the current year Standards link, followed by the current year Standards and Supplemental Specifications link, followed by the General Specification Information link.*

Real Estate Acquisition Guide For Local Public Agencies: <http://www.fhwa.dot.gov/realestate/lpaguide/index.htm>

Sample UDOT Staffing Plan Form: <http://www.udot.utah.gov/index.php/m=c/tid=287>

Standard QA Checklists: <http://www.udot.utah.gov/index.php/m=c/tid=994>

Standard QC Checklists: <http://www.udot.utah.gov/index.php/m=c/tid=995>

Standard QC/QA Process Document: <http://www.dot.state.ut.us/index.php/m=c/tid=650>

Standards and Specifications Section Contact List: <http://www.udot.utah.gov/index.php/m=c/tid=524>

Statewide Transportation Improvement Program (STIP): <http://www.udot.utah.gov/index.php?m=c&tid=40>

#### - SYSTEMS PLANNING AND PROGRAMMING -

<http://www.udot.utah.gov/index.php/m=c/tid=53>

Class B and C Regulations document: <http://www.dot.state.ut.us/index.php/m=c/tid=134>

Functional Classification Maps: <http://www.udot.utah.gov/index.php/m=c/tid=1224>

Mineral Lease Fund Distributions: <http://www.udot.utah.gov/index.php/m=c/tid=135>

National Transportation Enhancements Clearinghouse: [www.enhancements.org](http://www.enhancements.org)

Public Transportation: <http://www.udot.utah.gov/index.php/m=c/tid=611>

Road Safety Improvement Program: <http://www.udot.utah.gov/index.php/m=c/tid=1084>

Safe Routes to School Program: <http://www.udot.utah.gov/index.php/m=c/tid=578>

Safe Sidewalk Program: <http://www.udot.utah.gov/index.php/m=c/tid=583>

Spot Safety Improvement Program: <http://www.udot.utah.gov/index.php/m=c/tid=575>

Utah Enhancement Program: <http://www.udot.utah.gov/index.php?m=c&tid=192>

Utah Local Technical Assistance Program (LTAP): <http://www.utaht2.usu.edu/>



## 2.1 FEDERAL AND STATE AID FUNDS

The following table identifies the funding source along with the approving body for each of the federal and state aid funds available to local governments.

FUND	SOURCE	APPROVING BODY
Transportation Enhancement (TE)	Federal	EAC
Highway Bridge Program (HBP)	Federal	JHC
State Park Access (SPA)	State	JHC
STP Non-Urban (NURB)	Federal	JHC
STP Small Urban (SMURB)	Federal	JHC
Congestion Mitigation/Air Quality (CMAQ)	Federal	MPO
STP Urban	Federal	MPO
Mineral Lease	Federal	UDOT
Class B&C	State	UDOT
FTA Public Transportation Programs	Federal	UDOT Systems Planning & Programming
Railroad Crossings	Federal	UDOT Railroad & Utilities Engineer
Roadway Safety Improvement (RSI) Program	Federal	UDOT Safety Programs Engineer
Rural Run-Off Road Mitigation Program	Federal	UDOT Safety Programs Engineer
Safe Sidewalk Program	State	UDOT Regions
Safe Routes to School	Federal	UDOT Safe Routes to School Coordinator
Scenic Byways	Federal	UDOT Systems Planning & Programming
Transportation, Community, and System Preservation	Federal	FHWA

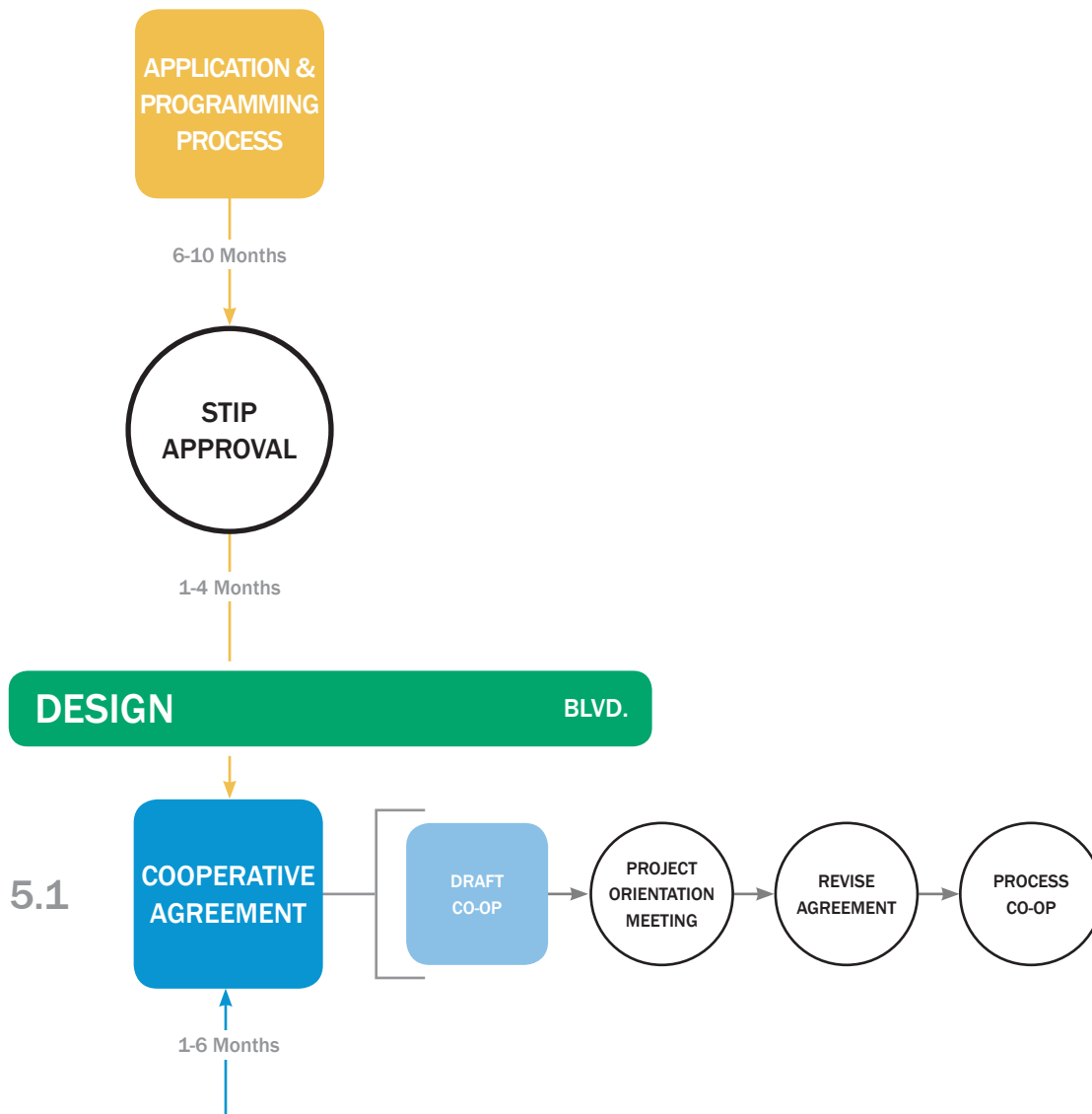
## 2.2 PROCESS FLOW CHART AND TIMELINE

The Local Government Project Process is available on the UDOT web site: <http://www.udot.utah.gov/index.php?m=c&tid=1358>. The following timelines indicate approximate lengths of time necessary to complete the overall process as well as individual activities for Part 5 Design and Part 6 Construction.

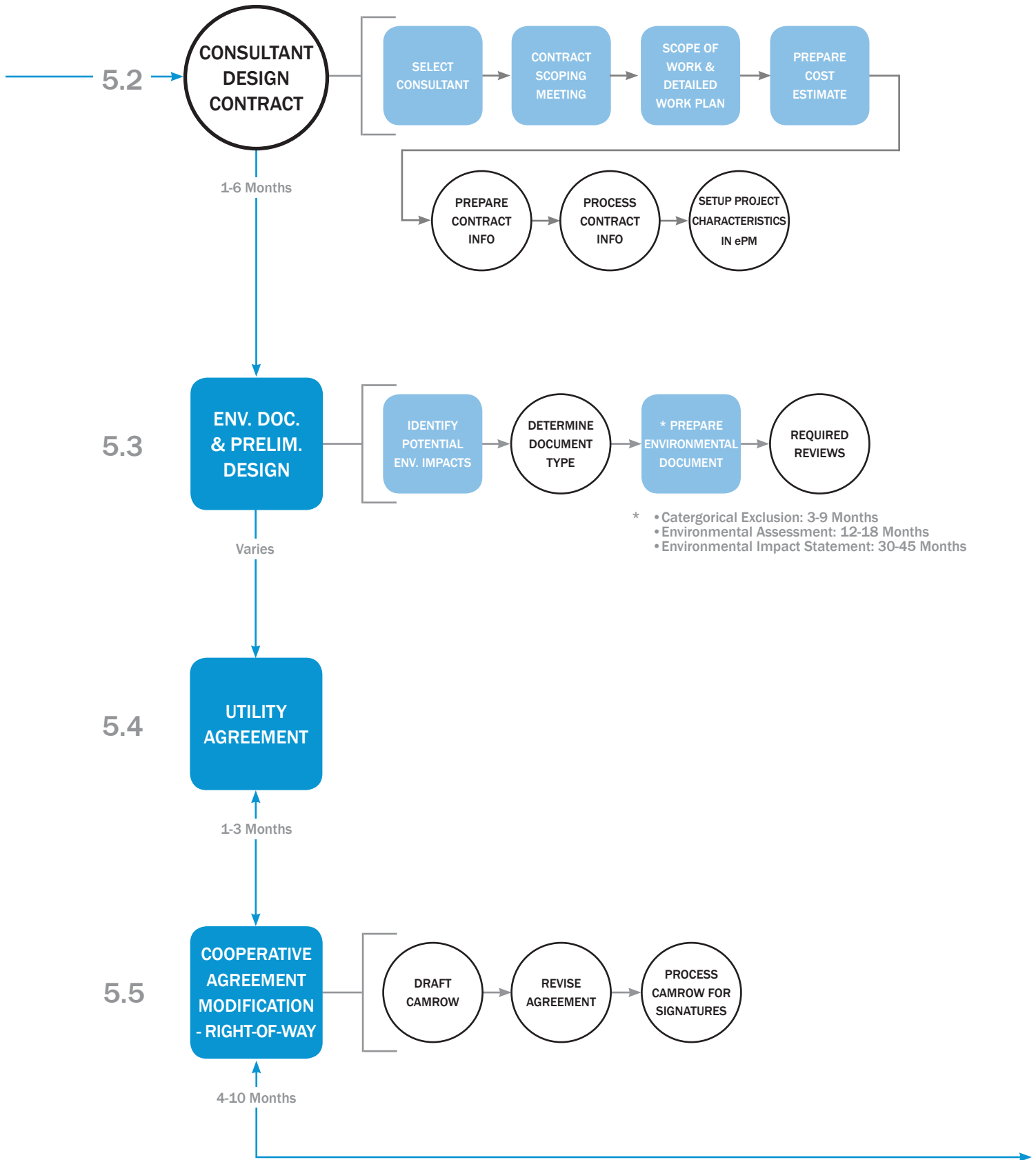
### - PROCESS LEGEND -

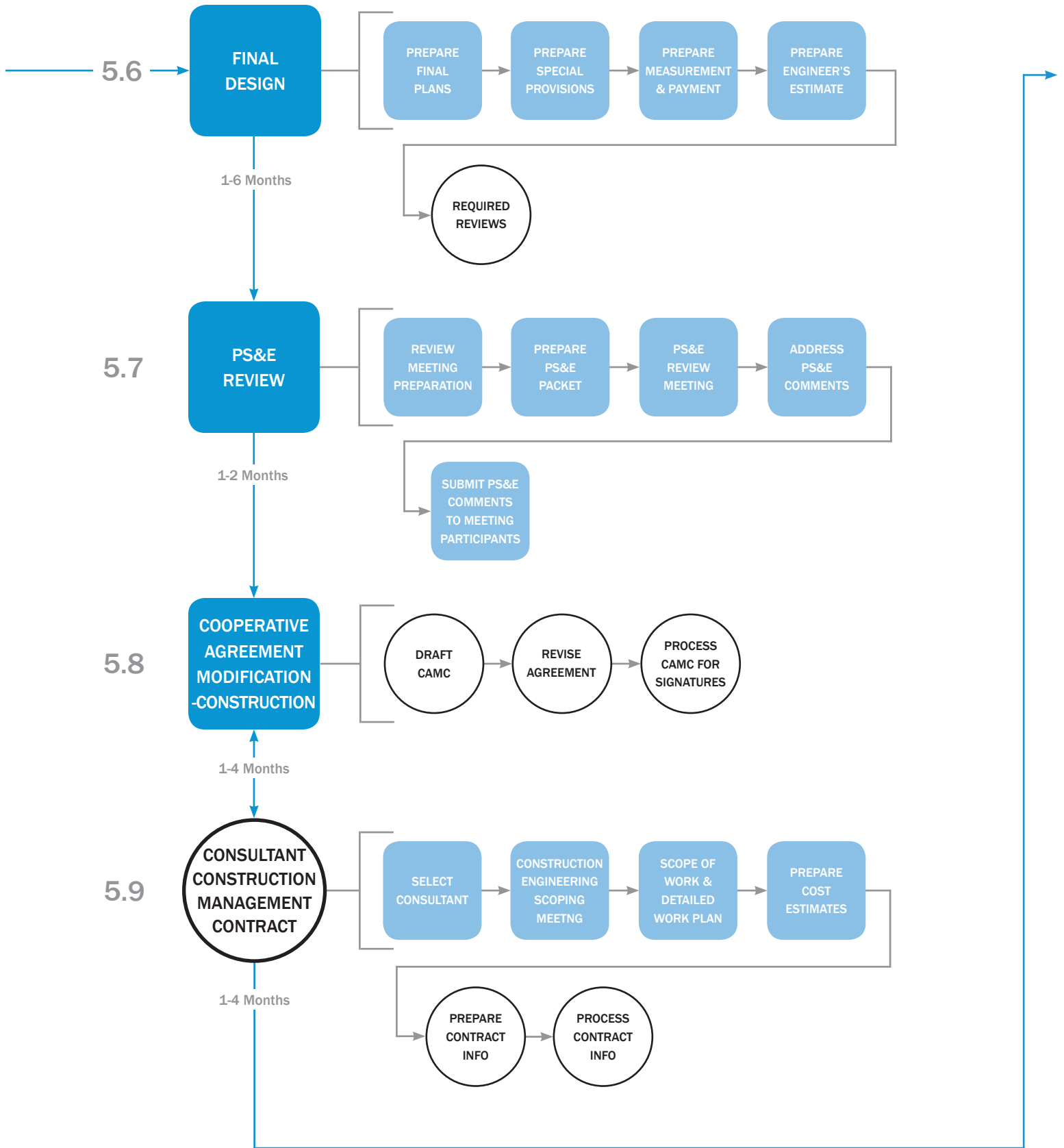


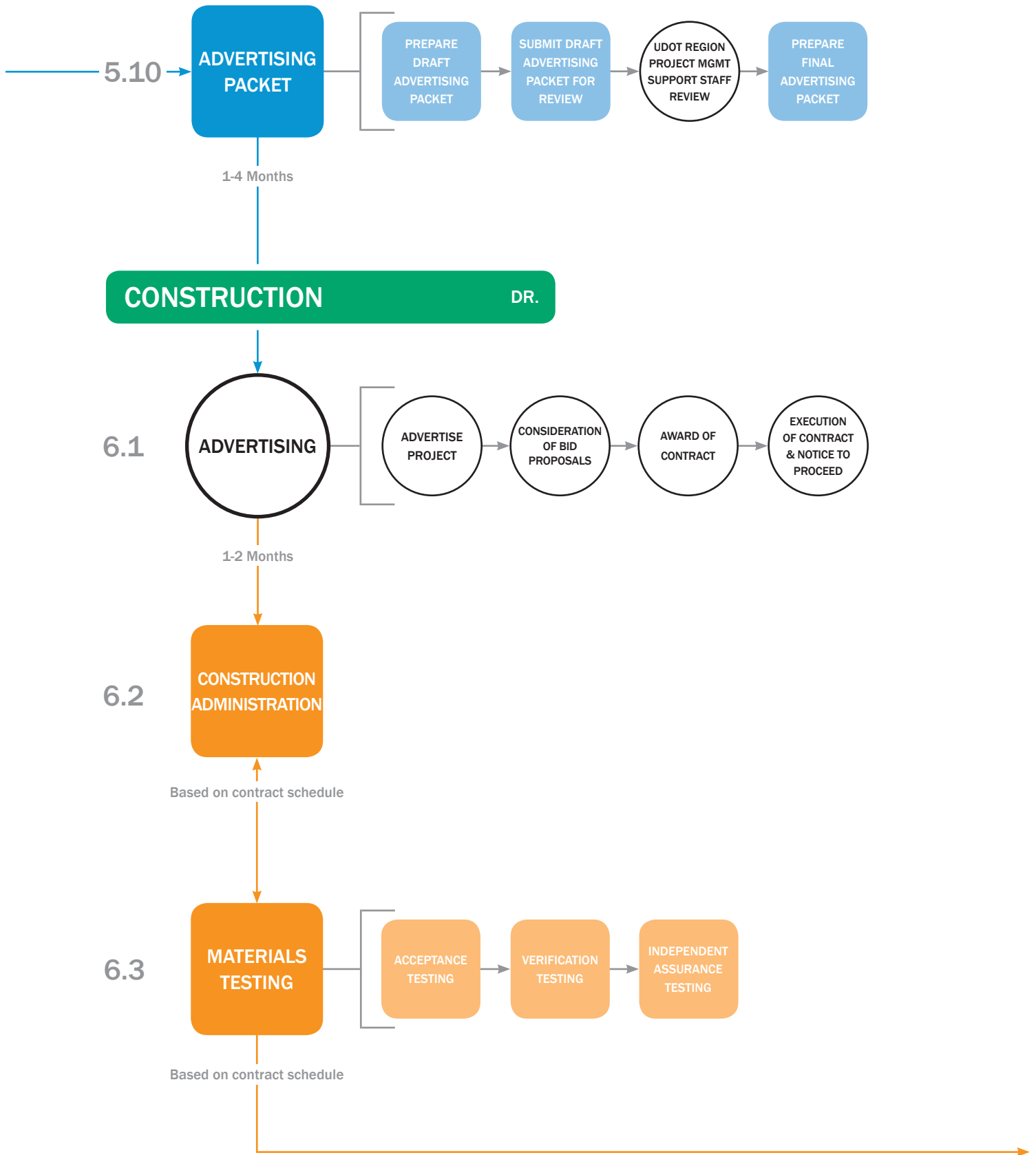
## PLANNING & PROGRAMMING RD.

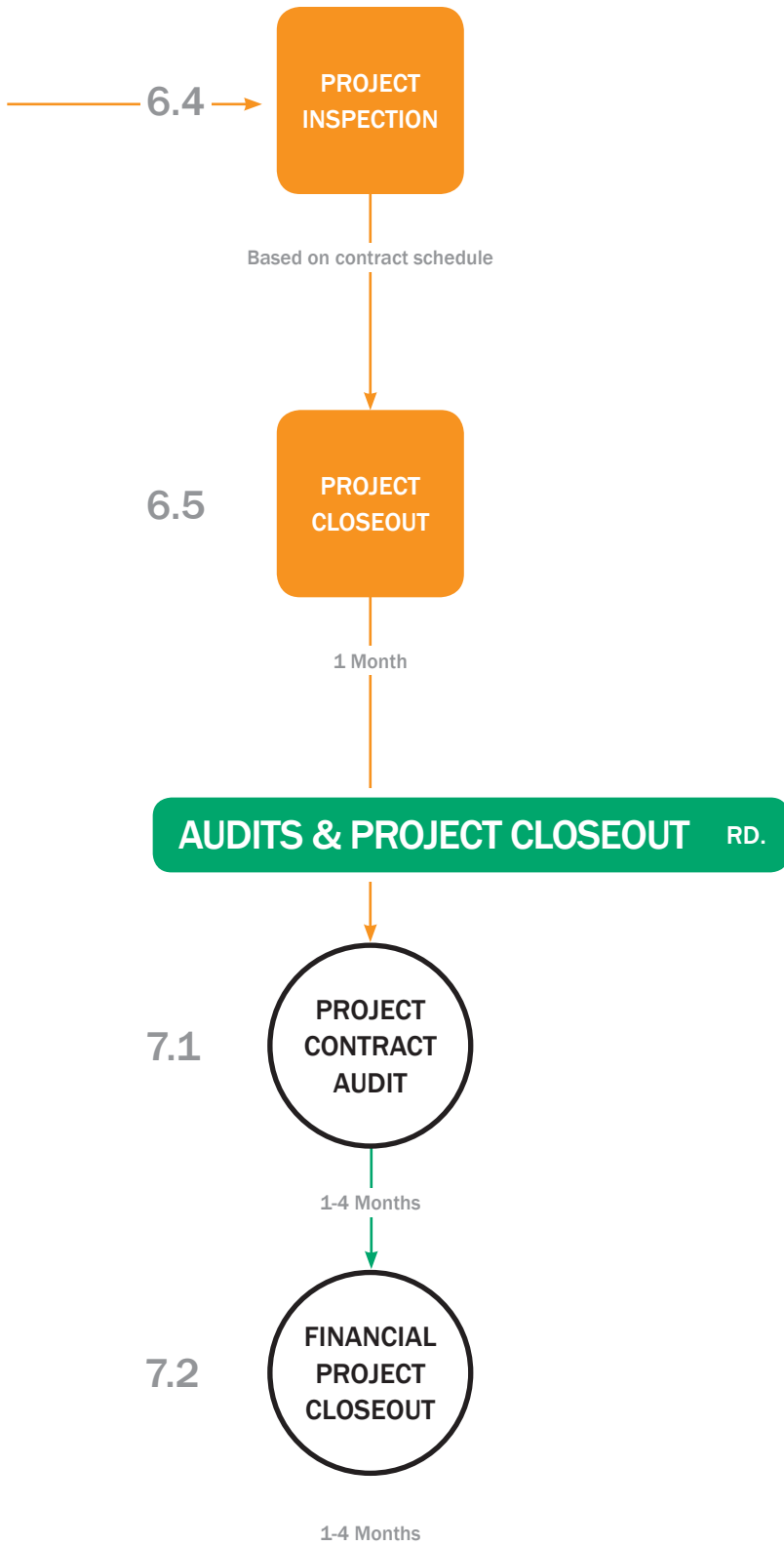












Conflict is an inevitable part of any decision making process. UDOT, the LGA, and the Consultant must work to avoid, manage, and resolve conflicts in order for the project process to succeed.

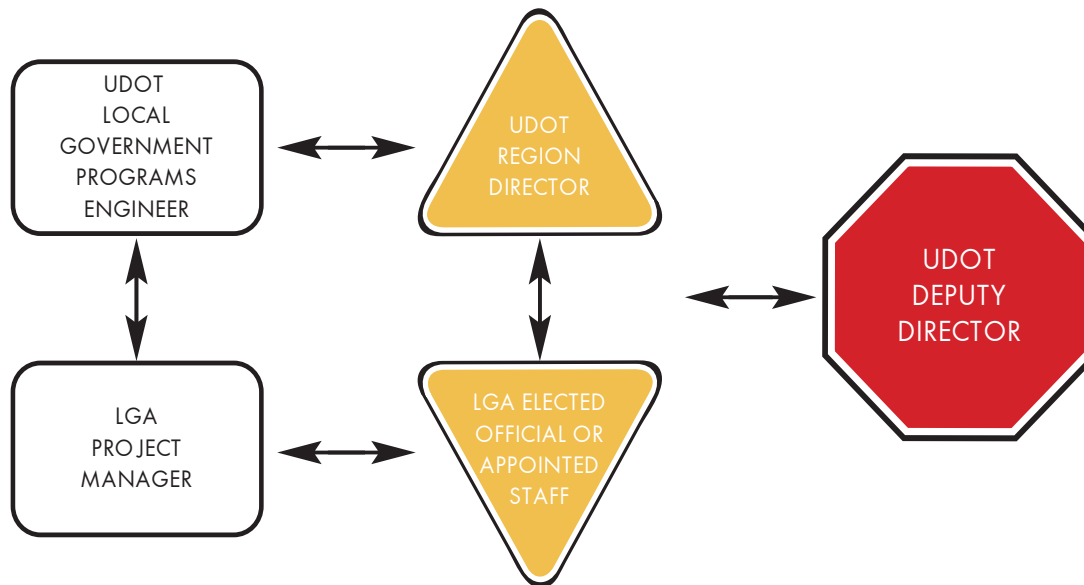
The UDOT Local Government Conflict Resolution Structure is a hierarchical process for resolving conflicts that cannot be resolved at the project level. For any phase of the project, the conflict resolution process starts at a technical level and escalates to an executive level.

At each conflict resolution level, both parties have one week to resolve the conflict. Either party may escalate the conflict to the next level if the parties are unable to resolve the conflict within one week. The highest conflict resolution authority has one week to make a formal decision regarding the conflict.

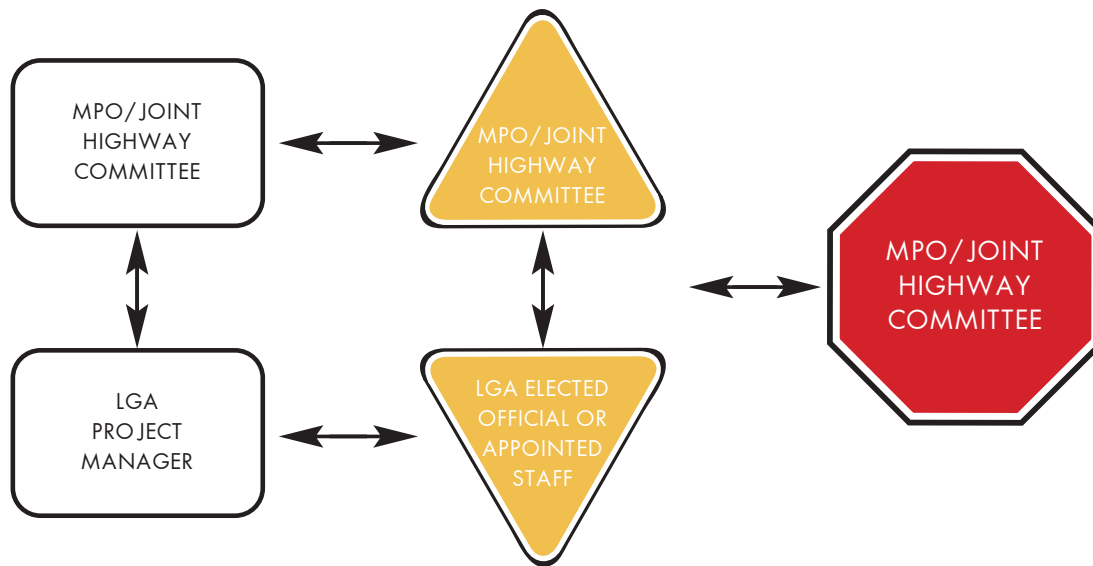
## 3.1 PLANNING AND PROGRAMMING PHASE

UDOT recognizes separate conflict resolution processes for Enhancement projects and Metropolitan Planning Organization (MPO) or Joint Highway Committee (JHC) projects as follows:

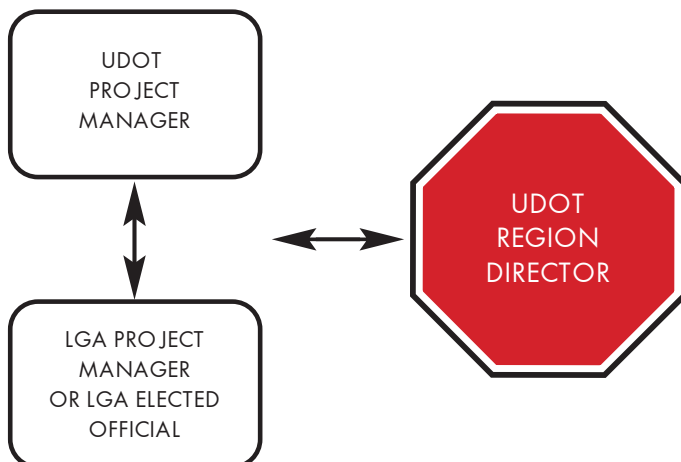
### - ENHANCEMENT -



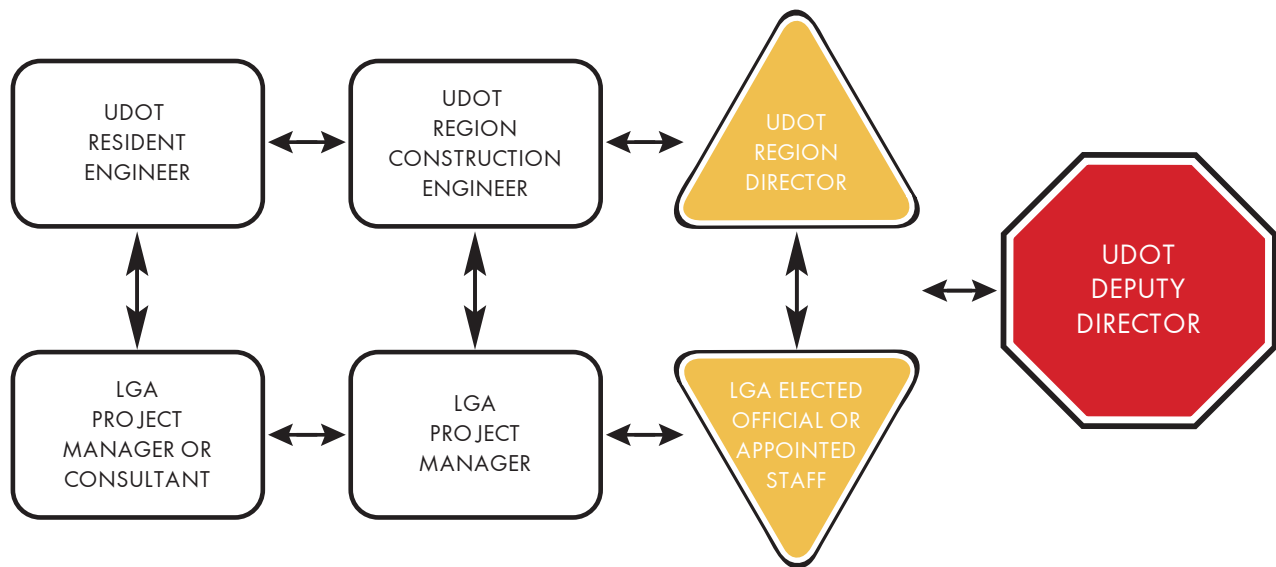
- METROPOLITAN PLANNING ORGANIZATION OR JOINT HIGHWAY COMMITTEE -



3.2 DESIGN PHASE



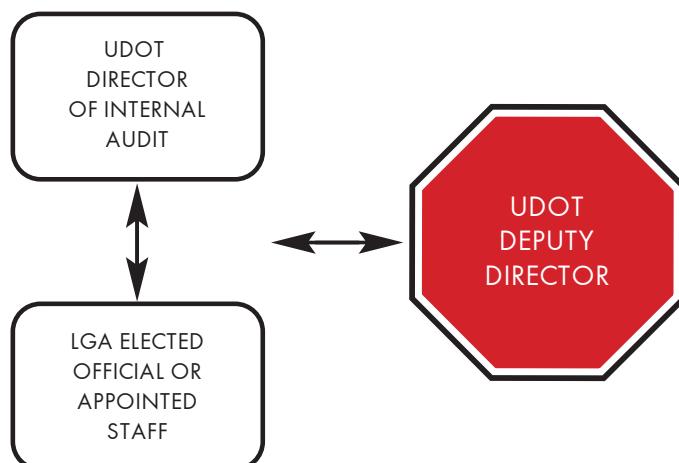
### 3.3 CONSTRUCTION PHASE



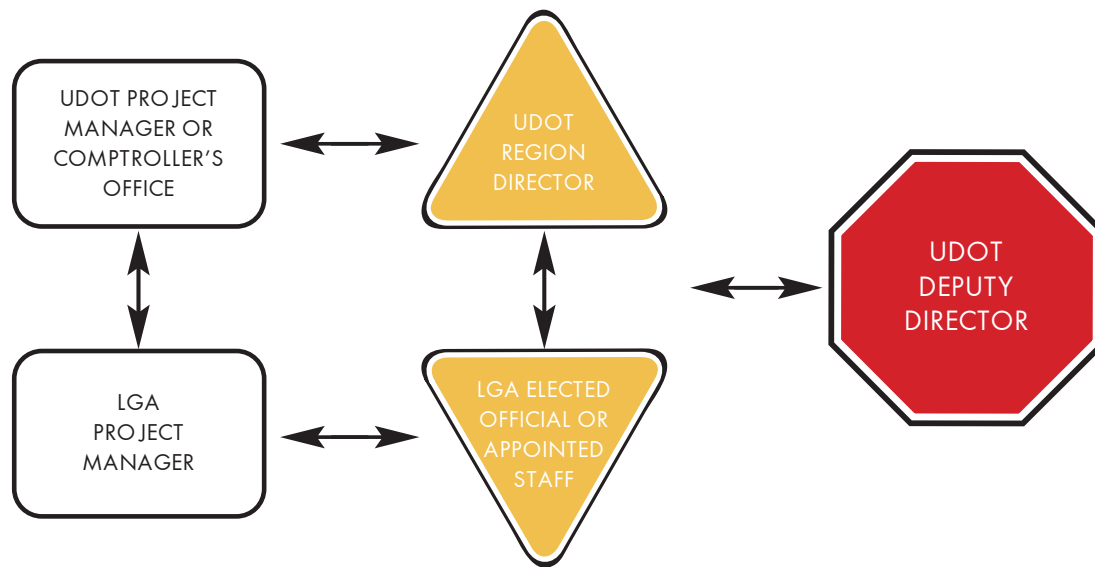
For additional information related to the Construction Phase Conflict Resolution Process, refer to the Construction Manual of Instruction at the following UDOT web site link: <http://www.udot.utah.gov/index.php/m=c/tid=316>. To otherwise obtain additional information, contact the UDOT Central Construction and Materials Division.

### 3.4 FINANCIAL AUDIT AND PROJECT CLOSEOUT PHASE

#### - FINANCIAL AUDIT -



- FINANCIAL PROJECT CLOSEOUT -





## 4.1 LOCAL GOVERNMENT INTRODUCTION TO FEDERAL AND STATE AID

### - GENERAL RESPONSIBILITIES -

#### Local Government Agency (LGA)

LGA's carry out planning and programming activities through scheduling improvements and maintenance activities for local streets and roads. The LGA applies for funds through the appropriate programming authority when they need Federal or state assistance.

When applying for Federal or state aid, make every effort to identify the total cost of the project, including but not limited to design, right-of-way, utilities, construction management, project construction, and twenty percent contingency. A concept estimate spreadsheet is available on the UDOT web site to aid in this process: <http://www.udot.utah.gov/index.php/m=c/tid=721>.

#### Utah Department of Transportation

FHWA has authorized UDOT to provide oversight on all local projects using Federal Aid. The UDOT Systems Planning and Programming Group supports UDOT's overall effort to plan, construct, and maintain the state highway system in the following four key areas:

##### 1) Monitor Transportation System Conditions

This effort includes the activities to maintain an inventory of Utah's transportation system and monitor the physical conditions, the use, and the safety of that system. This work involves measurement, analysis, and reporting of some of the key attributes of Utah's transportation system.

##### 2) Identify Transportation Needs

This effort includes the activities to evaluate system needs, which UDOT addresses in planning and programming. UDOT compares current and projected conditions to desired conditions or system performance goals to determine preservation and development priorities. The difference in conditions identifies needs. UDOT bases goals on public input, technical analysis, and financial feasibility. Once UDOT identifies overall needs, it considers the tradeoffs between preservation activities, improvements designed to reduce congestion, mitigation of safety hazards, and other objectives.

##### 3) Establish Transportation Plans

This effort includes preparing plans that describe how to address the identified transportation needs. UDOT intends for these plans to set the goals for development of, and identify specific implementation actions for, the specific transportation needs. These plans guide UDOT Regions in selecting projects for inclusion in a work plan referred to as the Statewide Transportation Improvement Program (STIP).

##### 4) Determine Program and Project Schedule

UDOT applies financial constraints to prioritized projects that match Utah's plans. Once UDOT establishes the plans, the programming process seeks to find the optimal mix of funding for prioritized project needs.

Programming is the process through which funds are committed to STIP projects. The selection of projects is constrained to those on the Long-Range Plan and by the availability of funds for each project type.

UDOT also considers the balance between non-traditional projects, project timing, additional factors beyond a project's ranking, and the limitations of Federal Aid.

For additional information on the UDOT Systems Planning and Programming Group, refer to the following UDOT web site link: <http://www.udot.utah.gov/index.php/m=c/tid=53>. To obtain additional information, contact the UDOT Systems Planning and Programming Group.

## Federal Government

The Federal Government reviews the planning and project activities of MPOs and state DOTs. The Federal Government also provides advice and training on transportation topics ranging from pavement technology to design to efficient operations of highway and transit systems. The Federal Government also supplies critical funding needed for transportation planning and projects. At least every two years, the Federal Government approves projects planned for construction by the state and other state agencies using Federal funds.

### - STATUTE AUTHORIZATION OF FEDERAL TRANSPORTATION BILL -

On August 10, 2005, President George W. Bush signed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009. The Federal Fiscal Year is October 1, to September 30. This Bill covers the Federal Fiscal Years beginning October 1, 2004 and ending September 30, 2009. The State of Utah Fiscal Year is July 1, to June 30.

SAFETEA-LU addresses the many challenges facing our transportation system today – challenges such as improving safety, reducing traffic congestion, improving efficiency in freight movement, increasing intermodal connectivity, and protecting the environment – as well as laying the groundwork for addressing future challenges. SAFETEA-LU promotes more efficient and effective Federal surface transportation programs by focusing on transportation issues of national significance while giving state and local transportation decision makers more flexibility for solving transportation problems in their communities.

### - STATE STATUTE REQUIREMENTS AND LIMITATIONS REGARDING LGAs -

Refer to State Code Titles 72, 10, and 17 and Administrative Rules R916-1 Advertising & Awarding Construction Contracts and R930-2 Public Hearings. To view the State Code, refer to the following link: <http://www.le.state.ut.us/~code/code.htm>. To view the Administrative Rules, refer to the following link: <http://www.rules.utah.gov/publicat/code.htm#Transporta>.

### - STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) -

#### Purpose

The STIP is a six-year plan of state and local highway and transit projects for the State of Utah. The STIP is updated and published annually and includes transportation projects on state, city, and county highway systems as well as projects in national parks, national forests, and on Indian Reservations. These projects use various Federal and state funding programs.

The Statewide Transportation Planning Process provides a coordinated, multi-modal plan for improvements and improvement strategies to the State's Transportation System for the next 20 years. The plan is financially constrained by year and includes sufficient financial information to determine which projects and strategies can be implemented using projected revenues. The plan also addresses needed projects that are not scheduled for construction because funding will not be available under the projected funding levels.

The STIP serves two basic purposes. First, it documents Utah's compliance with the requirements of SAFETEA-LU. SAFETEA-LU authorizes the Federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005-2009.

It is the basis for approval of Federal Aid highway and transit funds by FHWA and the Federal Transit Administration (FTA).

Second, the STIP is UDOT's official work plan for the development of projects through conception, environmental studies, right-of-way acquisition, planning, and advertising for construction. To view or download the current STIP from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php?m=c&tid=40>. To otherwise obtain this document, contact the UDOT STIP Coordinator.

## Operation

The following is a general overview of the primary UDOT STIP process activities. For specifics related to both UDOT and Metropolitan Planning Organization (MPO) STIP process activities, refer to the UDOT STIP Development Process Manual.

To view or download this document or the corresponding STIP development process timeline from the UDOT web site, refer to the following link: <http://www.dot.state.ut.us/index.php/m=c/tid=551>. To otherwise obtain these documents, contact the UDOT STIP Coordinator.

### *1) UDOT Public Meetings*

UDOT conducts a series of regional public meetings between August 1 and October 15 of each year to gather comments, ideas, and concerns from the public and local elected officials regarding transportation related issues. In larger urbanized areas, UDOT generally holds these meetings jointly with MPOs. UDOT compiles and reviews all public comments between October 16 and October 31.

### *2) UDOT Region and Headquarter Input*

Between September 1 and January 31, UDOT Regions incorporate additional information to assist in the decision making process, conduct field reviews to confirm and refine project issues, hold Region workshops, and develop a draft Region Transportation Improvement Program (TIP).

### *3) Public Lands Highway Projects*

UDOT holds an annual meeting with FHWA Central Federal Lands between February 1 and March 31 to establish a list of public lands highway projects for the STIP. This list includes Public Lands, National Parks, and National Forest road projects. UDOT presents the list of selected projects to the Utah Transportation Commission (UTC) in mid-February and an approved list is added to the STIP.

### *4) UDOT Fiscal Analysis*

During the month of February, UDOT compiles projections of the available Federal funds based on the most recent appropriations and obligation authority applicable to Utah. The analysis includes a summary of funds available for programming new Federal and state construction projects, including funds for right-of-way and engineering.

### *5) Compilation of Legislative Comments*

During the second half of February, UDOT reviews Legislative comments and modifies the draft Region TIP as appropriate.

### *6) Local Government Annual Visits*

Between February 15 and May 31, UDOT holds meetings with local city and county officials to discuss Federal and state funding programs, program process elements, and related coordination and activity items.

### *7) JHC Transportation Improvement Program Projects*

Between April 1 and May 15, the Joint Highway Committee (JHC) develops LGA Federal Aid projects and furnishes UDOT with a non-urban TIP, a small urban area TIP, a bridge replacement TIP, and a state park access road TIP sorted by UDOT Region.

### *8) Utah Transportation Commission (UTC) Workshop*

On April 16, the UTC meets with UDOT to develop funding strategies and identify and prioritize projects for both the funded STIP years (years one through three) and the concept STIP years (years four and five).

### *9) UDOT and MPO Project Recommendations*

On May 1, UDOT and MPOs coordinate their recommended project lists.

#### *10) Prepare Draft STIP for Public Comment*

On June 1, UDOT develops a Draft STIP incorporating all previous input and UTC recommendations. UDOT publishes and distributes this document to the public for comment on June 15.

#### *11) STIP Revisions*

UDOT collects, compiles, evaluates, and distributes comments to appropriate UDOT staff and to the UTC. UDOT makes appropriate revisions to the Draft STIP based on comments from staff and the UTC and produces a Final Draft STIP. Modifications to the STIP received each year by the UTC after August 1, become STIP Amendments.

#### *12) STIP Approval*

UDOT submits the Final Draft STIP along with modifications and a copy of all comments to the UTC for approval. On August 30, the UTC reviews the Final Draft STIP for compliance with previous recommendations, instructions, and available funds. UTC considers public comments and modifications and gives approval. The UTC may issue approval of the STIP despite deleting individual projects during its final review.

Once the UTC has given its approval of the STIP, UDOT submits the STIP, along with supporting documents, project maps, certifications, and resolutions to FHWA and FTA for approval. FHWA and FTA have from September 1, through September 30, to review the STIP and provide comments to UDOT. FHWA and FTA approve the STIP with a joint signature letter by October 1.

#### *13) UDOT Project Setup*

Following STIP approval, publishing, and distribution to each UDOT Region, the Program Manager (the Senior Project Manager) assigns a Project Manager to each Local Government project to oversee coordination efforts with the LGA.

By October 31, the Program Manager notifies the UDOT Project Managers of their specific UDOT Project Management responsibilities using the UDOT Local Government Project Notification form. The Local Government Project Notification form accompanies the LGA's project application package, referred to as the Local Government Project Concept Report.

Upon receipt of the Local Government Project Notification and review of the Local Government Project Concept Report, the UDOT Project Manager contacts the LGA by November 15. The UDOT Project Manager notifies the LGA of the project status and schedules a Local Government Project Orientation Meeting. The UDOT Project Manager enters the project into the Electronic Program Management (ePM) system.



Work on a Local Government project can begin as soon as the project comes into a funded year. UDOT expects LGAs to complete Local Government projects by the end of each project's STIP programming year.

#### **- UTAH TRANSPORTATION COMMISSION (UTC) -**

The UTC is a governor appointed independent advisory committee consisting of seven members. The UTC meets monthly. Primary responsibilities of the UTC include:

- Determine priorities and funding levels of projects in the state transportation systems for each fiscal year based on project lists compiled by UDOT
- Determine additions and deletions to state highways
- Hold public hearings and otherwise provide for public input in transportation matters
- Advise UDOT in state transportation systems policy
- Review, at least annually, the short-term and long-range public transit plans
- Review administrative rules made, amended, or repealed by UDOT

To access the UTC area of the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=12>.

## - PROJECT OPERATIONS -

### Contingency

UDOT requires a minimum contingency amount of 10 percent on all Federal Aid LGA projects at the time of project advertisement.

### Master Planning

Master planning is a key element in the community planning and programming process. The programming authorities require that proposed LGA projects originate from existing community and programming authority master plans.

Master plans provide a policy basis for local transportation funding and prioritize projects and programs that the LGA relies on to provide future transportation services. Master plans look at projects and programs within the context of broader community goals.

### Priority Selection

The JHC, MPOs, and Enhancement Advisory Committee (EAC) set priorities for the selection and funding of LGA projects.

## - UDOT PLANNING DIVISION SERVICES -

The UDOT Planning Division of the UDOT Systems Planning and Programming Group provides the following planning services to LGAs:

- Development of community master plans
- Completion of corridor studies on state highway segments where the LGA or UDOT needs additional information to make decisions or prioritize future projects

Contact the UDOT Planning Engineer for additional information.

## 4.2 JOINT HIGHWAY COMMITTEE (JHC)

### - INTRODUCTION -

The JHC is a 30-member committee with 15 members selected by the Utah Association of Counties and 15 selected by the Utah League of Cities and Towns.

UDOT, in cooperation with the JHC, developed a policy and procedure to implement a long range planning process of identifying and prioritizing transportation needs for Local Rural and Small Urban areas (less than 50,000 population).

The JHC's role is to administer Small Urban and Non Urban Funds, oversee Local Government Highway Bridge Program Funds and State Park Access Funds, and Class B and Class C road funds.

The JHC also has the responsibility to advise the UTC on Local Government transportation issues in the State of Utah. The JHC's primary focus is on areas of the state outside of the currently designated MPO planning area.

The JHC also oversees the selection of locally owned bridge replacement projects statewide and possible funding of non-urban road projects located within an MPO planning area but outside of its urban boundary.

LGAs propose projects to the JHC sub-committees through oral presentations. The selection process includes an evaluation of current and projected traffic volumes, remaining service life of the existing roadway or projected life of the new proposed road, safety issues (including accidents and fatalities), project cost and time frame, and an indication that the project is part of a community long range transportation plan. The sub-committee submits its selected projects to the full JHC for approval at the April semi-annual meeting.

## **- FUNDS -**

### **JHC STP Non-Urban Funds (NURB)**

#### *1) Eligibility*

Eligible roads must be:

- Classified as Major Collector or above
- Located outside MPO urban boundaries

To view or download the Rural Functional Classification Maps by County from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=1226>. To otherwise obtain this map, contact the Statewide Systems Planner.

#### *2) Required Minimum Match*

The required LGA minimum match is 6.77 percent.

#### *3) Maximum Federal Aid*

The maximum amount of Federal Aid per project is \$2,000,000.

#### *4) Opportunity to Combine Funds*

UDOT encourages the LGA to combine funds where applicable.

#### *5) How to Apply*

**Forms:** To obtain application forms, contact the UDOT Local Government Programs Engineer

**Deadline:** The application deadline is the second Wednesday of every January

**Notification of Selection or Rejection:** UDOT notifies the LGA by letter of selection or rejection

#### *6) Overruns and Unexpected Costs*

All cost overruns and unexpected costs are the responsibility of the LGA

### **JHC Highway Bridge Program Funds (HBP)**

#### *1) Eligibility*

Eligible bridges must have a sufficiency rating less than 80 to qualify for rehabilitation. To qualify for replacement, the sufficiency rating must be less than 50 with a deck, super, or sub condition rating of four or less.

#### *2) Required Minimum Match*

The required LGA minimum match is 20 percent.

#### *3) Maximum Federal Aid*

There are no limits to the maximum amount of Federal Aid per project.

#### *4) Opportunity to Combine Funds*

There is limited opportunity to combine funds.

#### 5) *How to Apply*



**Forms:** To obtain application forms, contact the UDOT Local Government Programs Engineer (801-965-4366). Note: All structure projects must meet UDOT's Structural Design & Detailing Standard. Reference the following website for additional information: <http://www.udot.utah.gov/index.php/m=c/tid=282/item=12841/d=full/type=1>

**Deadline:** The application deadline is the second Wednesday of every January

**Notification of Selection or Rejection:** UDOT notifies the LGA by letter of selection or rejection

#### 6) *Overruns and Unexpected Costs*

All cost overruns and unexpected costs are the responsibility of the LGA.

### **JHC STP Small Urban Funds (SMURB)**

#### 1) *Eligibility*

Eligible road must be:

- Major Collector or above
- Within a designated small urban city (population between 5,000 and 50,000)
- Outside the current MPO boundaries

To view or download the Small Urban Functional Classification Maps from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=1227>. To otherwise obtain this map, contact the Statewide Systems Planner.

#### 2) *Required Minimum Match*

The required LGA minimum match is 6.77 percent.

#### 3) *Maximum Federal Aid*

The maximum amount of Federal Aid per project is \$1,000,000.

#### 4) *Opportunity to Combine Funds*

UDOT encourages the LGA to combine funds where applicable.

#### 5) *How to Apply*

**Forms:** To obtain application forms, contact the UDOT Local Government Programs Engineer

**Deadline:** The application deadline is the third Wednesday of every February

**Notification of Selection or Rejection:** UDOT notifies the LGA by letter of selection or rejection

#### 6) *Overruns and Unexpected Costs*

All cost overruns and unexpected costs are the responsibility of the LGA.

### **JHC State Park Access Funds (SPA)**

LGAs that have jurisdiction over specific roads leading to State Parks may apply to the JHC for State Park Access funds. The LGA may use these funds to make necessary improvements and repairs to these roads.

#### 1) *Eligibility*

Utah Code sections 72-3-201 to 72-3-206 list the roads that are eligible for this program.



### *2) Required Minimum Match*

The required LGA minimum match is 50 percent. Flexible match, wherein a sponsor provides engineering services, materials, equipment or labor in lieu of a cash match, may be allowed. The LGA must provide full documentation of the market value of the flexible match. UDOT must pre-approve the flexible match before the LGA utilizes services or materials in the project.

### *3) Maximum State Aid*

The maximum amount of State Aid per project is \$500,000.

### *4) Opportunity to Combine Funds*

The LGA may combine SPA funds with Federal funds. In this situation, the project is subject to all Federal requirements.

### *5) How to Apply*

**Forms:** The application includes a Cover Letter and Concept Report from the LGA. The Cover Letter and Concept Report include:

- Brief description of the proposed project
- Project plan view
- Typical cross-section
- Proposed project schedule with cash flow
- Preliminary Engineer's Estimate including a line item for a minimum 10 percent contingency

**Deadline:** The LGA applies for funds through a sub-committee of the JHC known as the Non-Urban, Bridge, and State Parks Access Committee. The application deadline is the second Wednesday of every January.

**Notification of Selection or Rejection:** UDOT notifies the LGA by letter of selection or rejection

### *6) Overruns and Unexpected Costs*

All cost overruns and unexpected costs are the responsibility of the LGA.

## 4.3 METROPOLITAN PLANNING ORGANIZATION (MPO)

### **- INTRODUCTION -**

Urban areas with populations over 50,000 must have a MPO. The MPO, in cooperation with the state and other transportation providers, carries out the metropolitan transportation planning process, which includes development of a 20-year transportation plan and a TIP. There are currently four MPOs in Utah.

#### **Cache Metropolitan Planning Organization (CMPO)**

CMPO is the MPO for the Logan Urban area covering Smithfield, Hyde Park, North Logan, Logan, River Heights, Providence, Millville, and portions of Nibley and Cache County. MPO membership consists of locally elected officials of the cities in Cache County within the urbanized area. To access the CMPO website, refer to the following link: <http://www.cmpo.info>. To otherwise obtain information, contact CMPO, 435-716-7154.

#### **Mountainland Association of Governments (MAG)**

MAG is the MPO for the Provo and Orem urban area. To access the MAG website, refer to the following link: <http://www.mountainland.org>. To otherwise obtain information, contact MAG, 801-229-3800.



### **Wasatch Front Regional Council (WFRC)**

WFRC is the MPO for the Salt Lake City and Ogden urban areas. To access the WFRC website, refer to the following link: <http://www.wfrc.org>. To otherwise obtain information, contact WFRC, Salt Lake 801-363-4250 and Ogden 801-773-5559.

### **Dixie Metropolitan Planning Organization (DMPO)**

The DMPO is the MPO for the St. George urban area. To access the DMPO website, refer to the following link: <http://www.fcaog.state.ut.us/dep/mpo/index.php>. To otherwise obtain information, contact DMPO, 435-673-3548.

### **- FUNDS -**

MPOs manage Congestion Mitigation and Air Quality Improvement Program (CMAQ) and STP Urban funds. As a funding and programming authority, they have administrative authority to request changes on the STIP for their projects from the Transportation Commission.

### **MPO Congestion Mitigation/Air Quality (CMAQ) Funds**

CMAQ provides funding for projects that reduce traffic congestion and improve air quality in non-attainment areas. Examples of CMAQ projects include signal coordination, park and ride lots, ridesharing, bus service expansion, and alternative transportation modes, which include bicycle and pedestrian facilities.

#### *1) Eligibility*

Eligible projects must:

- Contribute to the attainment of air quality standards by reducing emissions in the region
- Not increase capacity for single occupancy vehicles
- Be within a designated urban area (population greater than 50,000)
- Be located inside MPO urban boundaries

Projects in the State Implementation Plan for clean air attainment receive priority.

#### *2) Required Minimum Match*

The required LGA minimum match is 6.77 percent.

#### *3) Maximum Federal Aid*

There are no limits to the maximum amount of Federal Aid per project.

#### *4) Opportunity to Combine Funds*

There is limited opportunity to combine funds.

#### *5) How to Apply*

For information regarding the application process, contact the MPO.

#### *6) Overruns and Unexpected Costs*

All cost overruns and unexpected costs are the responsibility of the LGA.

### MPO STP Urban Funds

These funds are for transportation facility improvements ranging from rehabilitation of existing facilities to new construction. They may also be used for transit capital improvements and ridesharing promotion.

#### *1) Eligibility*

Eligible roads must be:

- Consistent with long range and short range elements of Transportation Plan, except for minor projects
- Functionally classified as a collector or higher
- Within a designated urban area (population greater than 50,000)
- Located inside MPO urban boundaries

To view or download the Urban Area Functional Classification Maps from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=1228>. To otherwise obtain this map, contact the Statewide Systems Planner.

#### *2) Required Minimum Match*

The required LGA minimum match is 6.77 percent.

#### *3) Maximum Federal Aid*

There are no limits to the maximum amount of Federal Aid per project.

#### *4) Opportunity to Combine Funds*

There is limited opportunity to combine funds.

#### *5) How to Apply*

For information regarding the application process, contact the MPO.

#### *6) Overruns and Unexpected Costs*

All cost overruns and unexpected costs are the responsibility of the LGA.

## 4.4 TRANSPORTATION ENHANCEMENT FUNDS

### **- INTRODUCTION -**

This fund can expand travel choices and enhance the transportation experience by improving the cultural, historic, aesthetic, and environmental aspects of our transportation infrastructure. This fund is the most flexible and complex of all federal programs. These funds are available statewide to every community regardless of population or location through a competitive application process. This fund can be combined with all of the other federal transportation programs and pay for eligible categories listed here to improve a project's function.

For resources and additional information on what is happening in communities nationwide, refer to the following link: [www.enhancements.org](http://www.enhancements.org). For information regarding the Utah Enhancement program, refer to the following link: <http://www2.udot.utah.gov/index.php?m=c&tid=192>. To otherwise obtain this information, contact the UDOT Local Government Programs Deputy Engineer.

## **- ELIGIBILITY -**

Each project application must be a whole and functional project that can stand alone if no further funding becomes available. For phased projects, the LGA must submit separate applications for each project phase. The EAC may fund multiple project phases or elect to combine separate projects as one larger project where there are compelling benefits. Applications must include one or more of the following twelve eligible activities and relate to surface transportation:

### **Pedestrian and Bicycle Facilities**

Example activities include sidewalks, walkways or curb ramps, bike lane striping, shoulder improvements for designated pedestrian and bike lanes, bike parking and bus racks, road separated trailways, bridges, and underpasses. All trailway projects proposed to the EAC must accommodate both pedestrians and bicycles in their application concept.

### **Pedestrian and Bicycle Safety and Educational Activities**

Example activities include campaigns promoting safety awareness, safety training activities and classes, and training materials.

### **Acquisition of Scenic or Historic Easements and Sites**

Example activities include acquisition of scenic lands or easements, purchase of historic properties, or buildings in historic districts including historic battlefields.

### **Scenic or Historic Highway Programs Including Tourist and Welcome Centers**

Example activities include construction of turnouts, overlooks, visitor centers, viewing areas, designation signs, and markers.

### **Landscaping and Scenic Beautification**

Example activities include improvements such as street furniture, lighting, public art, and landscaping along travel corridors.

### **Historic Preservation**

Example activities include preservation of buildings and facades in historic districts, restoration of historic buildings for transportation-related purposes, and access improvements to historic sites.

### **Rehabilitation and Operation of Historic Transportation Buildings, Structures, or Facilities**

Example activities include restoration of railroad depots, bus stations, lighthouses, rehabilitation of rail trestles, tunnels, bridges, and canals.

### **Conversion of Abandoned Railway Corridors to Trails**

Example activities include acquisition of railroad right-of-way, planning, design, and construction of multi-use trails and rail-with-trail projects.

### **Inventory, Control, and Removal of Outdoor Advertising**

Example activities include billboard inventories and removal of illegal and nonconforming billboards.

### **Archaeological Planning and Research**

Example activities include research, preservation planning and interpretation, developing interpretive signs, exhibits and guides, inventories, and surveys.

### **Environmental Mitigation of Run-off Pollution and Provision of Wildlife Connectivity**

Example activities include run-off pollution studies, soil erosion controls, detention and sediment basins, river clean-ups, and wildlife underpasses.

### **Establishment of Transportation Museums**

Example activities include conversion of railroad stations or historic properties into museums with transportation themes, construction of new museums, and the purchase of exhibit materials.

#### **- APPLICATION FOR ENHANCEMENT FUNDS -**

To view or obtain application forms and associated application requirements, refer to the following link:  
<http://www.udot.utah.gov/index.php?m=c&tid=192>.

Applications are typically due at UDOT every January. Applicants may be required to file their intent for application by November for a proposal number and allow time to schedule a preliminary concept review for eligibility, recommendations, and risk mitigation.

#### **- PROJECT SELECTION VIA THE ENHANCEMENT ADVISORY COMMITTEE (EAC) -**

Selection of projects is a competitive process carried out on an annual basis with a total number limited to available annual funding. The Utah EAC consists of citizens and UDOT personnel statewide that possess expertise in transportation planning, engineering, economic development, and landscaping. The committee provides a detailed evaluation of the submitted applications to provide recommendations to the UTC for funding approval. The UTC makes the final determination regarding which projects to fund. These projects are included in the STIP.

#### **- UDOT REGION DIRECTOR ENHANCEMENT FUNDS -**



UDOT grants each UDOT Region Director Enhancement Funds for use on the state highway system within their regions. The state provides the matching funds. The LGA is encouraged to contact their Region Director to recommend eligible enhancement features on state highways in their communities.

#### **- FUNDING STRUCTURE FOR ENHANCEMENT PROJECTS -**

Each project application may request as much as \$500,000 in Federal Aid matched at the typical 20% or \$1 for every \$4 of Federal Aid. Additionally, \$250,000 of Federal Aid may be requested at 50% match or \$1 for every \$1 of Federal Aid.

Application sponsors may be limited or excluded in their request for Federal Aid by:

- 1) Total Federal Aid spent in a transportation corridor or community area
- 2) If the sponsor has a current project that has been on the STIP for more than 24 months

#### **- COMBINING SEPARATE PROJECTS, PHASES OR FUNDS -**

UDOT encourages LGAs to combine Enhancement projects with larger roadway projects or other Federal Aid programs with complementary goals. UDOT encourages LGAs to work with their respective MPO, where applicable, or the UDOT Region Director in addressing questions related to combining project phases or funding sources.

### - REASONABLE PROGRESS SCHEDULE POLICY -

UDOT expects the LGA to advertise all Transportation Enhancement projects within two years from the time the Federal funds become available typically every October first. The LGA must disclose any exceptions in the initial application.

In situations where a project is unable to meet its schedule at any phase, the LGA may request approval of a project re-schedule. The LGA provides written justification to UDOT for the delay including:

- Project status
- Current phase of project implementation
- Funds obligated and spent on the project

When a project falls 12 months behind the currently approved schedule, UDOT may implement one of the following options:

- Reprogram the Project in the STIP from a funded year to a concept development year
- Recommend a change of scope or funding
- Hold funding approval of the LGA's future Federal Aid projects pending re-establishment of timely progress on the project



If the LGA is non-responsive to implement a recovery plan and schedule at any phase, UDOT may recommend to the UTC removal of the project from the STIP. This action may require the LGA to repay any Federal funds spent on the project. UDOT will require repayment of these funds prior to the programming of any future project.

## 4.5 SAFETY FUNDS

### - ROADWAY SAFETY IMPROVEMENT (RSI) PROGRAM -

The Roadway Safety Improvement (RSI) program implements the FHWA Highway Safety Improvement Program. The overall objectives of the RSI program include reducing the number of crashes, reducing the severity of crashes, decreasing the potential for crashes, and making the most efficient use of available safety funds.

UDOT accomplishes these objectives by identifying high crash locations and developing a program of roadway safety improvement projects for those locations. The UDOT Traffic and Safety Division maintains a three-year program of statewide RSI projects in the STIP.

A project must meet the following requirements to qualify for RSI program funds:

- The location has a correctable crash history
- The proposed improvement will reduce crashes at or near the location
- The benefit/cost ratio of the project is greater than one (the higher the better)
- The location is on a public road in Utah
- A local match of 6.77 percent

For a detailed description of the RSI program guidelines and requirements, refer to the following UDOT web site link: <http://www.udot.utah.gov/index.php/m=c/tid=1084>. To otherwise obtain information related to the RSI program, contact the UDOT Safety Programs Engineer.

### - RURAL RUN-OFF ROAD MITIGATION PROGRAM -

The Utah Comprehensive Safety Plan identifies Run-off Road (ROR) crashes as an emphasis area. ROR crashes account for almost 50 percent of all traffic fatalities statewide. A disproportionate number of these fatalities occur in rural areas.

UDOT established the Rural ROR Mitigation program to implement low-cost safety improvements aimed at mitigating rural ROR crashes. The main emphasis is on regulatory and warning signing and roadway delineation. Other types of signs may be considered but this program is not intended to be a sign replacement program. A local match of 6.77 percent is required.

Rural counties and cities interested in participating in the program can contact the UDOT Safety Programs Engineer.

### - SAFE SIDEWALK PROGRAM -

The Safe Sidewalk Program provides funding for construction of new sidewalks on state routes where sidewalks do not currently exist. The program enables sidewalk installation in locations where UDOT expects no route construction or reconstruction for 10 or more years.

UDOT policy considers adding sidewalks on all UDOT projects where pedestrian traffic is significant. For UDOT to consider a proposed sidewalk location for the Safe Sidewalk Program it must meet the following criteria:

- Located on a state route
- Located in an urban area or in an area that is urban in nature
- Has significant pedestrian traffic
- Requires a 25 percent LGA match (cash or right-of-way)

For additional information regarding the Safe Sidewalk Program, refer to the following UDOT web site link: <http://www.udot.utah.gov/index.php/m=c/tid=538>. To otherwise obtain Safe Sidewalk Program information, contact the UDOT Safety Studies Engineer.

### - SAFE ROUTES TO SCHOOL -

SAFETEA-LU established Safe Routes to School as a new program and funding source. The purpose of this program is to increase safety for children walking and biking to school. Increasing safety in this area will encourage more children to walk and bike to school, which has inherent health benefits. LGAs can use Safe Routes to School funds for a variety of projects including infrastructure improvements, training, education, and enforcement campaigns.

For states to qualify for Safe Routes to School funds, Congress requires that they hire a full-time Safe Routes to School coordinator to administer the program. UDOT is in the process of securing and filling this position and further developing the program.

Once developed, the Safe Routes to School program description, as well as contact information for the state Safe Routes to School coordinator will be available on the UDOT web site at the following link: <http://www.udot.utah.gov/index.php/m=c/tid=578>.

## - RAILROAD CROSSING FUND -

The Utah Legislature has charged the Department of Transportation to regulate and promote safety at all public highway/railroad crossings in the state. This includes state highways, county roads, city streets, and all other public accesses across rail lines. UDOT does not regulate private crossings, although they are maintained in the national inventory.

Maintenance around railroad crossings falls between the owner of the road and the owner of the tracks. The approach to within two feet of the tracks is the responsibility of the road owner. Everything within two feet of the tracks is the responsibility of the railroad owner.

If the road is a State Highway, then UDOT is responsible for maintenance of the railroad crossing; otherwise, the city or county is responsible.

There are several railroad companies operating within the state that own crossings, and are responsible for their maintenance. Contact the railroad company directly to make comments regarding crossing conditions. Call the UDOT Railroad & Utilities Engineer to file a complaint.

Each crossing has a unique DOT number issued to identify and track the status of crossings in the country. The number should be posted at or near each crossing. The number is a combination of six numbers and one letter, for example 254-454X. In any correspondence with UDOT or the railroads, identifying the crossing number will help in resolving your concerns quickly and efficiently.

To otherwise obtain information, contact the UDOT Railroad & Utilities Engineer.

## 4.6 NON-PROJECT SPECIFIC FUNDS

### - CLASS B & C ROAD FUNDS -

Class B & C roads are public highways, roads, or streets maintained by and under the jurisdiction of a incorporated municipality that accommodate conventional two-wheel drive vehicles. Class B roads are county roads. Class C roads are city or town roads.

The Utah Legislature established this funding program for the Class B and C road system as a means of providing assistance to counties and incorporated municipalities for the improvement of roads and streets throughout the state.

These funds differ from ordinary local revenues in that they are subject to administrative direction by the state in accordance with legislative provision. UDOT is the administrative authority on behalf of the state.

To view or download the Class B & C Regulations document from the UDOT web site, refer to the following link: <http://www.dot.state.ut.us/index.php/m=c/tid=134>. To otherwise obtain these forms, contact the UDOT Class B & C Road Fund Engineer.

The B & C Regulations document designates the rules, procedures, and regulations that are acceptable to UDOT in the administration of funds for counties, cities, and towns provided for by the Utah Legislature.

### - MINERAL LEASE FUNDS -

The state receives Mineral Lease Funds annually from leaseholds on Utah's Federal lands. The state distributes these funds on a quarterly basis using a formula that allocates funds to counties with significant mining activity on Federal lands. To view or download the current Mineral Lease Fund distributions from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=135>. To obtain additional information, contact the UDOT Mineral Lease Fund Administrator.



## - PUBLIC TRANSPORTATION -

UDOT administers the following FTA programs related to public transportation statewide, including agencies serving rural communities, the elderly, and people with disabilities.

### **FTA Section 5310 Specialized Paratransit Program**

The goal of the Section 5310 program is to improve mobility for the elderly and persons with disabilities throughout the country. FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of this segment of the population. Funds are available for urbanized, small urban, and rural areas.

The Federal share of eligible capital and program administrative costs may not exceed 80 percent of the net cost of the program. The LGA share of eligible capital and administrative costs shall be no less than 20 percent of the net cost of the program.

To view or download information related to the Section 5310 program from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=625>. To otherwise obtain information, contact the UDOT FTA Section 5310 Specialized Program Manager.

### **FTA Section 5311 Rural Public Transportation**

The primary goals of the Section 5311 program are:

- Enhance access for people in non-urbanized areas to health care, shopping, education, employment, public services, and recreation
- Assist in the maintenance, development, improvement, and use of the public transportation system in rural and small urban areas

Program funds are available to state agencies, LGAs, non-profit organizations (including Indian tribes and groups), and operators of public transportation services to use for capital, operating, and administrative systems.

The Federal share of eligible capital and project administration is generally 80 percent. For projects that meet the requirement of the Americans with Disabilities Act (ADA), the Clean Air Act, or bicycle access projects may be 90 percent. The maximum FTA share for operating assistance is 50 percent of the net operating costs.

To view or download information related to the Section 5311 program from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=626>. To otherwise obtain information, contact the UDOT FTA Section 5311 Rural Public Transit Program Manager.

### **FTA Section 5303 and 5313(b) Planning Programs**

LGAs use Section 5303 Metropolitan Planning program funds to conduct transportation planning activities in urban areas with populations greater than 50,000. The Section 5303 program helps develop transportation systems that embrace all modes of transportation and efficiently maximizes the mobility of people and goods throughout urbanized areas.

UDOT staff uses Section 5313(b) Planning program funds to address the statewide transit planning needs for areas outside the urbanized MPO boundaries, to conduct transit feasibility studies, provide five-year regional transit development plans, and to conduct special transit research studies.

To view or download information related to the Section 5303 or 5313(b) programs from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=624>. To otherwise obtain information, contact the UDOT Transit Plans and Program Director.



## 5.1 COOPERATIVE AGREEMENT

### - INTRODUCTION -

The Cooperative Agreement is a legally binding document between UDOT and the LGA that estimates the project costs and outlines each agency's project responsibilities. It also estimates the LGA's matching funds. See sample Cooperative Agreement in Appendix.

The initial Cooperative Agreement documents project design and environmental work costs. Modifications to this agreement may include, but are not limited to, right-of-way and construction. UDOT and the LGA modify the Cooperative Agreement based on the type of work requiring Federal Aid. An LGA cannot expend Federal funds without a Cooperative Agreement and R-709 in place.

The LGA commits to a project by executing the Cooperative Agreement prepared by the UDOT Project Manager. In preparing the Cooperative Agreement, UDOT also processes an R-709.

### Expenditure of Federal Funds: R-709



R-709 is an agreement between UDOT and FHWA regarding UDOT's request for aid, project approval, authorization, or agreement. UDOT completes the form and FHWA must approve the form before the LGA spends any Federal funds on a project. UDOT prepares and processes the R-709 form for all Local Government projects as outlined below:

R-709 Agreements	Preparation Responsibility	Processing Responsibility
Consultant Contracts	UDOT Project Manager	UDOT Consultant Services
Right-of-Way Cooperative Agreements	UDOT Project Manager	UDOT Consultant Services
Utility Agreements	Region Utility Coordinator	Region Utility Coordinator
Construction Contracts	UDOT Project Manager	UDOT Project Manager
Design Cooperative Agreement where LGA seeks reimbursement for work completed by LGA staff or sub-consultants	UDOT Project Manager	UDOT Project Manager

### - ACTIVITIES -

#### Local Government and UDOT Project Orientation Meeting

The UDOT Project Manager contacts the LGA and schedules a Project Orientation Meeting. The primary purposes of the Project Orientation Meeting are to:

- Review and discuss the parameters of the project
- Outline and discuss the project process
- Review and discuss the elements of the Cooperative Agreement

The Consultant may also attend if the LGA has identified one for the project. The UDOT Project Manager may include this as an item on the meeting agenda if the LGA has not identified a Consultant. The UDOT Project Manager sets up the meeting and the LGA prepares the agenda and keeps meeting minutes.

### **Draft Cooperative Agreement**

The UDOT Project Manager develops the Draft Cooperative Agreement based on input from the LGA at the Project Orientation Meeting. The UDOT Project Manager forwards the Draft Cooperative Agreement to the LGA for comment within one week following the Project Orientation Meeting.

Depending on the scope and parameters of the project, the Cooperative Agreement may include LGA In-House Work Participation Forms or LGA Flexible Match Forms.

#### *1) LGA In-House Work Participation Forms*

UDOT may reimburse the LGA for project related work performed by LGA staff using Federal funds.

The LGA submits the following forms to the UDOT Project Manager for approval. If approved, the UDOT Project Manager attaches the forms to the Draft Cooperative Agreement:

- UDOT PM Approval Memo (Prepared by the UDOT Project Manager)
- Detailed Work Plan
- Quality Control/Quality Assurance (QC/QA) Plan
- Personnel/Staffing Plan
- Schedule
- Cost Proposal
- Sub-Consultant Information
- Certificate of Insurance
- R-709 (Prepared by the UDOT Project Manager)

Contact the UDOT Consultant Services Local Governments Contract Administrator for information concerning these items.

#### *2) LGA Flexible Match*



Flexible match provides a means of contributing public and private contributions toward the non-Federal match for Federal Aid projects. Any project using flexible match must comply with all provisions applicable to all Federal Aid highway projects.

To view or download the Flexible Match Guidelines from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>.

For UDOT to use Flexible Match, both parties must sign the Flexible Match Proposal Form and attach it to the Cooperative Agreement prior to final processing. The LGA may not purchase, contract for, or perform any services until UDOT Consultant Services acquires the signatures on the Flexible Match Form. Failure to obtain approval results in loss of Federal funds.

To view or download the Flexible Match Proposal Form from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>. To otherwise obtain these forms, contact the UDOT Consultant Services Local Government Contract Administrator.

### Revise Agreement

Once the LGA receives the Draft Cooperative Agreement, the UDOT Project Manager and LGA work together to identify and incorporate necessary changes. The UDOT Project Manager prepares the Final Cooperative Agreement.

### Process Cooperative Agreement for Signatures

The UDOT Project Manager prepares five originals of the Cooperative Agreement and sees that the LGA and the UDOT Region Director sign all copies.

After obtaining the appropriate signatures, the UDOT Project Manager forwards all five copies of the Cooperative Agreement to UDOT Consultant Services Local Governments Contract Administrator for distribution to the UDOT Comptroller's Office. UDOT Consultant Services obtains any remaining signatures, prepares and distributes the Cooperative Agreement to the LGA, UDOT Project Manager, and appropriate UDOT departments.

Any changes to the standard Cooperative Agreement template requires the UDOT Project Engineering Services Director's approval. This may require coordination with UDOT Legal Counsel and additional processing and approval time.

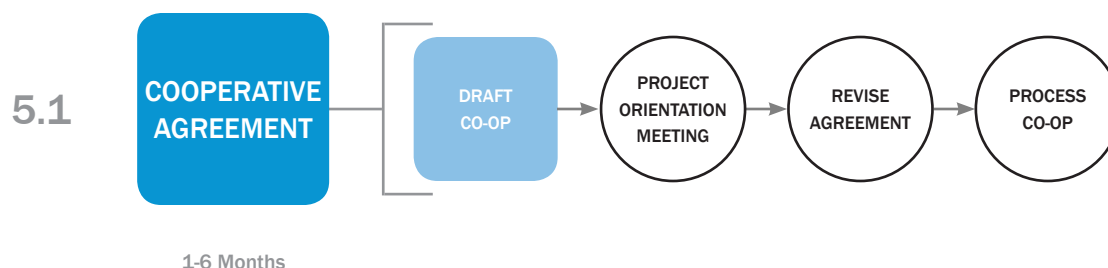
### - ACTIVITY AND DELIVERABLES CHECKLIST -

The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Hold Project Orientation Meeting
- ☐ Prepare, distribute, and file the Project Orientation Meeting agenda and minutes
- ☐ Confirm that UDOT Project Manager prepared the Draft Cooperative Agreement
- ☐ Confirm that UDOT Project Manager prepared the Final Cooperative Agreement
- ☐ Confirm that UDOT prepared five originals of the Final Cooperative Agreement and obtained LGA, UDOT Region Director and, as necessary, the UDOT Engineering Services Director signatures
- ☐ Confirm that UDOT Consultant Services distributed final copies of the Agreement
- ☐ File one original copy of the Cooperative Agreement with signatures
- ☐ Deposit Matching Funds with the UDOT Comptroller's Office

### - TIMELINE -

The following table depicts the approximate timeline for the Cooperative Agreement:



## 5.2 CONSULTANT DESIGN CONTRACT

### - INTRODUCTION -

A Consultant Design Contract is required if a consultant is required for design engineering activities. The LGA cannot solicit a Request for Qualifications (RFQ), use their own selection process, or contract directly with a Consultant. Failure to follow the UDOT Consultant selection process results in loss of Federal funds.

LGAs may use an Engineer of Record. The formal process for acquiring an Engineer of Record for use on Federal Aid projects may be obtained by calling the UDOT Consultant Services Local Government Contract Administrator. When an LGA contracts using an Engineer of Record, the LGA is required to:

- Certify that the consultant was obtained by qualification-based selection process (provide documentation of selection process)
- Provide an agreement or minutes from a council or commission meeting expressing that the Consultant has been appointed Engineer of Record
- Follow the independent estimate process to procure consultant engineering services.

See Appendix for Engineer of Record form.

### - ACTIVITIES -

The Consultant Services Manual of Instruction contains the specific activities associated with the Local Government Consultant Selection process. To view or download this from the UDOT web site, refer to the following link: <http://www.dot.state.ut.us/index.php/m=c/tid=615>. To otherwise obtain this document, contact the UDOT Consultant Services Manager.

Primary activities are as follows:

#### Select Consultant

The UDOT Project Manager coordinates with Consultant Services to determine the appropriate selection process. Selection processes include Request for Qualifications (Standard and Streamline), Engineer of Record, or Consultant Pool. Consultant Services oversees the consultant selection. The LGA selects a Consultant to design the project with assistance from the UDOT Project Manager.

#### Contract Scoping Meeting

The UDOT Project Manager, the LGA, and Consultant meet to discuss the project parameters and level of effort required to complete the project. The LGA schedules the meeting, prepares the agenda, and keeps meeting minutes.

#### Scope of Work and Detailed Work Plan

**Scope of Work:** The UDOT Project Manager prepares an independent scope of work.

**Detailed Work Plan:** The Consultant prepares a Detailed Work Plan. The Detailed Work Plan identifies the following:

- UDOT Project Manager
- Project Name
- UDOT Project Number
- Project Location and Description
- Project Tasks with a Thorough Description of Each Task

## Prepare Cost Estimates

### 1) *Independent Cost Estimate (ICE)*

The UDOT Project Manager and the LGA formulate an ICE.

### 2) *Consultant Cost Estimate*

The Consultant prepares a cost estimate.

### 3) *Cost Estimate Comparison*

The Consultant cost estimate must be within 20 percent of the UDOT Project Manager ICE to proceed with cost negotiations. The Consultant may submit a second cost estimate if the Consultant cost estimate is not within the 20 percent threshold. The LGA and UDOT Project Manager may select a new Consultant if the cost estimate again exceeds the 20 percent threshold and negotiations do not yield a fair and reasonable price.

Consultant Services schedules a final contract negotiation meeting if the cost estimates are within the 20 percent threshold. Final negotiated costs must be within 10 percent of the UDOT Project Manager's ICE. The UDOT Project Manager must provide written justification of the difference if negotiated costs are above or below 10 percent of the UDOT Project Manager's ICE.

## Prepare Contract Information

### 1) *Local Agency*

The LGA completes the Local Government Project Manager Review Memo and submits it to the UDOT Project Manager. The Local Government Project Manager Review Memo states that the Cooperative Agreement is in place and identifies the LGA's selected consultant, consultant selection method, contract completion date, contract amount, and any other information the LGA wishes to include in the contract.

### 2) *Consultant*

Under the direction of the LGA, the Consultant Project Manager submits the following to the UDOT Project Manager.

**Detailed Work Plan:** The Consultant prepares a Detailed Work Plan. The Detailed Work Plan identifies the following:

- UDOT Project Manager
- Project Name
- UDOT Project Number
- Project Location and Description
- Project Tasks with a Thorough Description of Each Task

**Executive Summary:** The executive summary includes a brief description of the work, unknowns or states that the project is fully scoped, phasing and the reasons for phasing, the contract fee type (unit price, lump sum, or cost plus fixed fee), and the reason for selecting the contract fee type.



**Cost Proposal:** The cost proposal references the UDOT Project Manager, project name, UDOT project number, project location, and description. Each project task includes an estimated cost using a UDOT approved overhead rate and travel rates, with all direct expenses showing the number of units times the rate. The Prime Consultant must do a minimum of 60 percent of the work.

**Work Schedule:** The work schedule identifies estimated current initiation and completion dates by project task and includes the Consultant Evaluation Midpoint date.

**Project QC/QA Plan:** The project QC/QA Plan follows the UDOT standard QC/QA Plan process. To view or download the UDOT standard QC/QA Process document from the UDOT web site, refer to the following link: <http://www.dot.state.ut.us/index.php/m=c/tid=650>.

The Consultant submits the Consultant QC/QA Plan Responsibility form to UDOT. To view or download a sample Consultant QC/QA Plan Responsibility form from the UDOT web site, refer to the following link: <http://www.udot.utaht.gov/index.php/m=c/tid=287>. To otherwise obtain these forms, contact the UDOT Consultant Services Local Governments Contract Administrator. For each project task, the QC/QA Plan lists the team leader, QC review person, and QA review person. The QC review person must be different from the QA review person.

**Staffing Plan:** The Staffing Plan identifies all staff assigned to the project along with their respective firm or company information, project title, certification category or level, Utah license or certification number, education level, estimated project hours, and rate of pay (labor, billing, and unit price).

To view or download a sample Staffing Plan Form from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>. To otherwise obtain this form, contact the UDOT Consultant Services Local Government Contract Administrator.

**Sub-Consultant Information:** The sub-consultant provides a letter detailing the work plan and an estimated cost if the contract is under \$5,000. The sub-consultant must provide the above contract information if the contract amount is above \$5,000.

**Certificate of Liability Insurance:** For all contracts, the Consultant will provide a Certificate of Liability Insurance. To view or download Insurance requirements from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>. To otherwise obtain these requirements, contact the UDOT Consultant Services Local Government Contract Administrator.

### *3) UDOT Project Manager*

The UDOT Project Manager is responsible to coordinate with the UDOT Local Government Contract Administrator to submit the following contract items:

- Consultant information noted in item above
- Scope of Work
- ePM Screen 430: Independent Cost Estimate (ICE)
- ePM Screen 505: Information related to estimated project costs
- Consultant Services Financial Screening Form
- Project Manager Approval Memorandum
- R-709

### **Process Contract Information**

The UDOT Project Manager, LGA, and Consultant review the project costs itemized in the contract. The UDOT Project Manager submits the complete contract to the UDOT Consultant Services for further processing if all are in agreement.

Consultant Services and the LGA perform the following activities to process the contract information:

#### *1) Consultant Services*

- Prepare the Contract
- Obtain UDOT signatures
- Contact the Consultant: Notify them that the document is ready for Consultant and LGA signatures
- Notice to Proceed: After the LGA obtains the necessary signatures, UDOT Consultant Services issue a Notice to Proceed to the Consultant and distributes executed contract copies to the LGA, Consultant, UDOT Project Manager, and appropriate UDOT departments

## 2) Local Government Agency

- Obtain and sign the contract
- Obtain consultant signature on the contract
- Return signed contract to Consultant Services

### Setup Project Characteristics in ePM

Based on contract information, the UDOT Project Manager uses the ePM system to assign completion dates for each activity and assign a target completion date for the project.

### - ACTIVITY AND DELIVERABLES CHECKLIST -

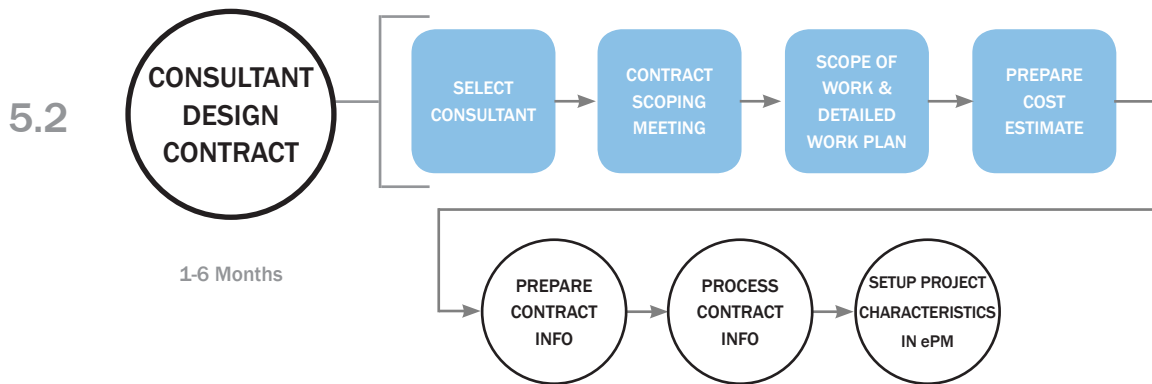
The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Select a Consultant for the project with help from the UDOT Project Manager
- ☐ Schedule and conduct the Contract Scoping Meeting
- ☐ Prepare, distribute, and file the Contract Scoping Meeting agenda and minutes
- ☐ Prepare independent Scope of Work with help from the UDOT Project Manager
- ☐ Confirm that the Consultant prepared a Detailed Work Plan
- ☐ Prepare an ICE with help from the UDOT Project Manager
- ☐ Prepare Local Government Project Manager Review Memo and submit it to the UDOT Project Manager
- ☐ Confirm that UDOT Consultant Services sent a Selection Notification Letter to the Consultant (only for RFQ selection)
- ☐ Confirm that the Consultant provided the following contract information and documentation to the UDOT Project Manager:
  - ☐ Detailed Work Plan
  - ☐ Executive Summary
  - ☐ Cost Proposal
  - ☐ Work Schedule
  - ☐ QC/QA Plan
  - ☐ Staffing Plan
  - ☐ Sub-Consultant Information
  - ☐ Certificate of Liability Insurance
- ☐ Confirm that the UDOT Project Manager prepared the following contract items:
  - ☐ Items from the Consultant
  - ☐ Scope of Work
  - ☐ ICE
  - ☐ ePM Screen 505
  - ☐ Consultant Financial Screening Form
  - ☐ Project Manager Approval Memorandum
  - ☐ R-709
- ☐ Confirm that Consultant Services processed the contract information, distributed the contract for signature, provided a Notice to Proceed, and distributed the executed contract
- ☐ Confirm that the UDOT Project Manager set up the project in the ePM system



## - TIMELINE -

The following table depicts the approximate timeline for the Consultant Design Contract:



## 5.3 ENVIRONMENTAL DOCUMENT AND PRELIMINARY DESIGN

### - INTRODUCTION -



The LGA and UDOT must have an executed Cooperative Agreement prior to the initiation of any environmental or preliminary design work.

A Consultant prepares the applicable Environmental document based on the requirements of the project. The three types of Environmental documents are Categorical Exclusion, Environmental Assessment, and Environmental Impact Statement.

The LGA may act as the Consultant in the Environmental document preparation activities listed below if the LGA has sufficient qualified staff. Qualified staff refers to those individuals who have a current Professional Engineering License from the State of Utah and are willing and able to stamp plan sets in accordance with applicable state laws. The UDOT Project Manager determines if the LGA has sufficient qualified staff. The Consultant performs enough design work to prepare the Final Environmental Document.

### - ACTIVITIES -

The UDOT Environmental Manual of Instruction and the Design Process Manual detail the specific activities associated with the Environmental Document and Preliminary Design. A brief overview of the primary process elements and required standards include:

#### Identify Potential Environmental Impacts

The Consultant and the LGA produce a list of potential environmental impacts and submit the list to the Region Environmental Manager along with a copy of the Local Government Project Concept Report. The Consultant, LGA, UDOT Project Manager, and Region Environmental Manager develop the list during an on-site meeting if necessary.

#### Determine Document Type

The Environmental Manager, in conjunction with FHWA, determines which of the following three document types is required for the project:

- Categorical Exclusion (CATEX)
- Environmental Assessment (EA)
- Environmental Impact Statement (EIS)



To obtain detailed information related to each document type, refer to FHWA's Guidance for Preparing and Processing Environmental and Section 4(f) Documents – Technical Advisory TA 6640.8A, located at the following link: <http://environment.fhwa.dot.gov/projdev/impTA6640.asp>.

Also, refer to FHWA Regulation 23 CFR 771 - Environmental Impact and Related Procedures, at the following link: [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/23cfr771\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/23cfr771_02.html). To otherwise obtain these documents, contact the Environmental Program Manager.

The Environmental Program Manager is available for direct consultation by the Consultant or LGA in determining the appropriate document type. In the event of an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) document determination, Consultant Services requires one Consultant selection process and contract for the environmental work and a separate Consulting selection process and contract for the final design work. The Federal agency may choose to prepare an EIS without first preparing an EA if it anticipates that an undertaking may significantly affect the environment or if a project is environmentally controversial.

### Prepare Environmental Document

The Consultant, in conjunction with UDOT Environmental Personnel, prepares the Environmental Document under the direction of the LGA. The LGA/Consultant adheres to the following manuals, standards, and formats when preparing the Environmental Document.

#### 1) UDOT Environmental Process Manual of Instruction

To view or download this Manual from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=1328>. To otherwise obtain this document, contact the Environmental Program Manager.

#### 2) UDOT Environmental Assessment Guidelines

To obtain these Guidelines contact the Environmental Program Manager.

#### 3) UDOT Design Process Manual

To view or download this Manual from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=721>.

#### 4) Design Standards

Minimum design requirements for Local Government projects must meet current UDOT standards. Contact the UDOT Project Manager or the UDOT Local Government Project Engineer for a current list of UDOT standards. The Consultant prepares a Special Provision if UDOT does not specify a design requirement. For more information on Special Provisions, refer to the Final Design section of this Guide.

#### 5) Design Format

Until a Local Government design format is formally developed and documented, the format must comply with UDOT Plan Sheet Development Standards. To obtain these standards, contact the UDOT Engineering Technology Systems Group.

The UDOT Engineering Technology Systems Manual serves as the standard for CADD systems and the development of plans. **Exceptions:** The LGA may submit an alternate documented format to the UDOT Project Manager for use on the project.

The UDOT Project Manager may approve the alternate format for use on the project. Approval is subject to the ability to advertise and construct the project according to UDOT standards.

#### 6) FHWA Technical Advisory TA 6640.8A

To view or download this document, refer to the following link: <http://environment.fhwa.dot.gov/projdev/impTA6640.asp>. To otherwise obtain this document, contact the Environmental Program Manager.

7) *FHWA Regulation 23 CFR 771*

To view or download this document, refer to the following link: [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/23cfr771\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/23cfr771_02.html). To otherwise obtain this document, contact the Environmental Program Manager.

### **Required Reviews**

UDOT requires the following reviews prior to completion of the Environmental Document and Preliminary Design.

1) *QC Review*

The Consultant completes the QC sign-off in accordance with the Consultant Design Contract. The Consultant submits the QC checklists to the UDOT Project Manager.

To view or download the UDOT standard QC checklists from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=995>. To otherwise obtain these checklists, contact the UDOT Consultant Services Local Government Contract Administrator.

2) *QA Review*

The Consultant completes the QA sign-off in accordance with the Consultant Design Contract. The Consultant then submits the QA checklists to the UDOT Project Manager. To view or download the UDOT standard QA checklists from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=994>. To otherwise obtain these checklists, contact the UDOT Consultant Services Local Government Contract Administrator.

3) *UDOT Review*

The Consultant, in conjunction with the LGA, provides the following items and the UDOT Project Manager or Functional Manager, as assigned by the Project Manager, reviews these items:

**Environmental Document:** All reviews and submittals related to the Environmental Document must be in accordance with the Environmental Manual of Instruction.

**Design Standards:** The Consultant provides to UDOT a list of all UDOT standards, a list of LGA standards that require a Special Provision for the project, and documentation that the Consultant met the standards.

**Design Format:** The Consultant provides documentation that they followed the applicable design format.

4) *UDOT Review Certification*

The UDOT Project Manager or Functional Manager, as assigned by the Project Manager, certifies that the above items are complete. UDOT sends a certification email or letter to the Consultant and LGA within one week following the review.

### **- ACTIVITY AND DELIVERABLES CHECKLIST -**

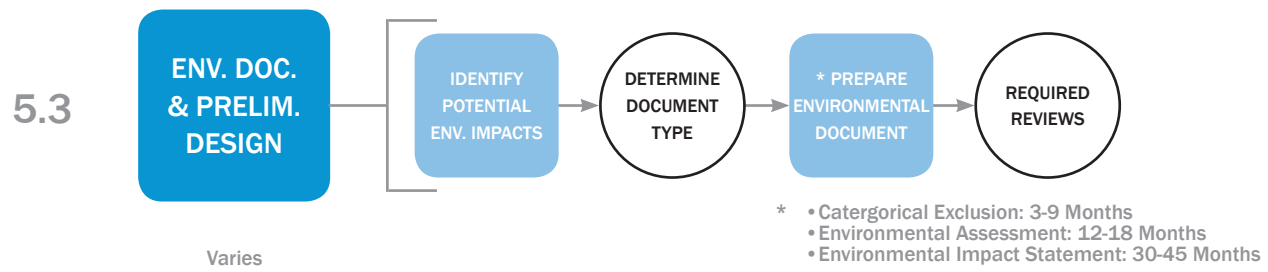
The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Confirm that the Cooperative Agreement is executed prior to initiation of any environmental work
- ☐ File the list of potential environmental impacts
- ☐ Confirm that the Consultant submitted the list of potential environmental impacts to the Region Environmental Manager along with a copy of the Local Government Project Concept Report
- ☐ Confirm that the Environmental Manager, in conjunction with FHWA, determined document type required for the project
- ☐ Confirm that the Consultant, in conjunction with UDOT, prepared the Environmental Document

- ☐ File a copy of all Environmental Documents (Draft and Final)
- ☐ Confirm that the Consultant completed and submitted QC/QA forms
- ☐ Confirm that the UDOT Project Manager performed required reviews
- ☐ Confirm that the UDOT Project Manager sent a UDOT Review Certification email or letter to the Consultant and LGA

#### - TIMELINE -

The following table depicts the approximate timeline for the Environmental Document and Preliminary Design:



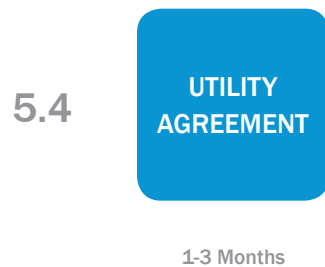
### 5.4 UTILITY AGREEMENT

#### - INTRODUCTION -

The LGA enters into formal agreements with all Utility and Railroad companies whose facilities will be impacted by the project. The Region Utility Coordinator's approval is only needed if federal funds are used to relocate a utility. Utility Certification must be provided by the LGA on agency letterhead.

#### - TIMELINE -

The following table depicts the approximate timeline for the Utility Agreement:



### 5.5 COOPERATIVE AGREEMENT MODIFICATION – RIGHT-OF-WAY

#### - INTRODUCTION -

In the case that the LGA uses Federal funds to assist with the purchase of right-of-way for a project, UDOT requires a modification to the Cooperative Agreement. The Cooperative Agreement Modification for Right-of-Way (CAMROW) estimates the right-of-way appraisal and acquisition costs associated with the project and outlines each agency's responsibility for the costs.

## - ACTIVITIES -

### Draft CAMROW

The UDOT Project Manager is responsible for developing the Draft CAMROW based on input from the LGA. The UDOT Project Manager submits the Draft CAMROW to the LGA for comment. The LGA must understand Federal acquisition policies and procedures related to right-of-way acquisition to insure that Federal funds are not jeopardized. Refer to the FHWA publication Real Estate Acquisition Guide For Local Public Agencies for information.

To view or download this publication, refer to the following web site link: <http://www.fhwa.dot.gov/realestate/lpaguide/index.htm>. To otherwise obtain this document, contact the UDOT Right-of-Way Section.

Depending on the scope and parameters of the project, the CAMROW may include LGA Reimbursement Forms and supplements.

#### *1) LGA Reimbursement Forms*

UDOT may reimburse the LGA for project related work performed by LGA staff with Federal funds. The LGA submits the following items to the UDOT Project Manager for approval. The UDOT Project Manager attaches the forms to the CAMROW if approved.

- UDOT Project Manager Approval Memo (Prepared by UDOT Project Manager)
- Detailed Work Plan
- QC/QA Plan
- Personnel/Staffing Plan
- Schedule
- Cost Proposal
- Sub-Consultant Information
- Certificate of Insurance

For information concerning these items, contact the UDOT Consultant Services Local Government Contract Administrator.

#### *2) Supplements*

The Consultant develops the initial right-of-way cost estimate and right-of-way resource plan. The right-of-way resource plan must include the names of each agent the LGA intends to use to perform each right-of-way activity. The Consultant also obtains right-of-way parcel maps as supplements to the CAMROW. The Consultant submits these items to the UDOT Project Manager.

To obtain additional information regarding the UDOT Right-of-Way process or forms, refer to the Right-of-Way Manual of Instruction. To view or download this Manual from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=199>. To otherwise obtain this document, contact the UDOT Right-of-Way Section.

### Revise Agreement

Once the LGA receives the Draft CAMROW, the UDOT Project Manager and LGA work together to identify and incorporate necessary changes. The UDOT Project Manager prepares the final Agreement for processing.

### Process CAMROW for Signatures

The UDOT Project Manager prepares five originals of the Agreement and sees that the LGA and the UDOT Region Director signs all copies.

After obtaining the appropriate signatures, the UDOT Project Manager forwards all five copies of the CAMROW to the UDOT Local Government Contract Administrator for distribution to UDOT Right-of-Way. Along with the CAMROW, the UDOT Project Manager will include the initial right-of-way cost estimate, right-of-way resource plan, right-of-way parcel maps, and a completed R-709 form.

After UDOT Right-of-Way approves the initial right-of-way cost estimate, right-of-way resource plan, and right-of-way parcel maps, UDOT Consultant Services submits the R-709 form to UDOT Systems Planning and Programming for approval.



Following approval of the R-709 form, UDOT Consultant Services obtains the remaining required signatures as necessary and prepares and distributes the CAMROW to the LGA and UDOT Project Manager. Failure to obtain an approved R-709 prior to purchasing right-of-way results in Federal loss of funds.

Any changes to the standard CAMROW template requires the UDOT Project Engineering Services Director's approval. This may require coordination with UDOT Legal Counsel and additional processing and approval time.

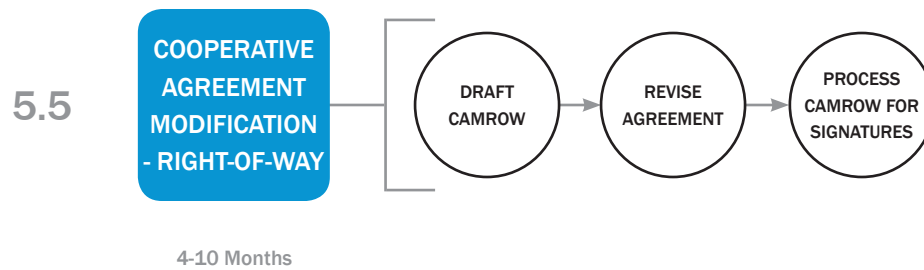
### - ACTIVITY AND DELIVERABLES CHECKLIST -

The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Confirm that the UDOT Project Manager prepared the Draft CAMROW
- ☐ Confirm that Consultant prepared and submitted initial right-of-way cost estimate, resource plan, and parcel maps to UDOT Consultant Services
- ☐ Confirm that UDOT Consultant Services forwarded the initial right-of-way cost estimate, resource plan, and parcel maps to UDOT Right-of-Way for review
- ☐ Confirm that UDOT Right-of-Way approved the initial right-of-way cost estimate, resource plan, and parcel maps
- ☐ Confirm that UDOT prepared five originals of the Final CAMROW and obtained LGA, UDOT Region Director, and, as necessary, the UDOT Engineering Services Director signatures
- ☐ Confirm that the UDOT Project Manager forwarded all five originals of the CAMROW, completed R-709 form, initial right-of-way cost estimate, resource plan, and parcel maps to UDOT Consultant Services
- ☐ Confirm that UDOT Consultant Services forwarded the completed R-709 form to UDOT Systems Planning and Programming for approval
- ☐ Confirm that UDOT Systems Planning and Programming approved the R-709 form
- ☐ Confirm that UDOT Consultant Services distributed final copies of the CAMROW
- ☐ File one original copy of the CAMROW with signatures
- ☐ Deposit Matching Funds with the UDOT Comptroller's Office

## - TIMELINE -

The following table depicts the approximate timeline for the CAMROW:



## 5.6 FINAL DESIGN

### - INTRODUCTION -

Final Design consists of the Measurement and Payment (M&P) and the Final Plans, Specifications, and Engineer's Estimate (PS&E). Final PS&E's vary in size and complexity by project.

### - ACTIVITIES -

The Consultant, under the direction of the LGA, prepares the Final PS&E and M&P. LGAs with sufficient qualified staff may prepare the Final Plans, Specifications, M&P, and Engineer's Estimate. Qualified staff includes those individuals who have a current Professional Engineer License from the State of Utah and are willing and able to stamp plan sets in accordance with applicable state laws. The UDOT Project Manager determines if the LGA has sufficient qualified staff.

#### Prepare Final Plans

The Consultant adheres to the following manuals, standards, and formats when preparing Final Plans.

- Design Process
- Design Standard
- Design Format

#### Prepare Special Provisions

A Special Provision modifies a Standard Specification in full, in part, or by adding a new Section specific to the project. The Consultant adheres to the following manuals, standards, and formats when preparing Special Provisions.

Special Provisions are either "participating" or "non-participating" items. Participating items are eligible for Federal funds. The LGA pays for non-participating items. The UDOT Project Manager determines which Special Provision items are participating or non-participating. The LGA may include non-participating items in the project plan as Betterments. The Consultant creates a separate detail in the Engineer's Estimate for Betterments.

##### 1) Special Provision Standards

- Project Specification Creation Instructions:  
To view or download the Project Specification Creation Instructions from the UDOT Standards and Specifications web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=302>. From this link, select the current year Standards link, followed by the current year Standards and Supplemental Specifications link, followed by the General Specification Information link.
- Special Provision Section of the Roadway Design Manual of Instruction

## *2) Special Provision Format*

- Federal Advertising Checklist, Special Provision Related Steps: To view or download the Federal Advertising Checklist and Special Provision related steps from the UDOT Standards and Specifications web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=302>. From this link, select the current year Standards link, followed by the current year Project Checklist link.
- Special Provision Standard Format Section of the Roadway Design Manual of Instruction
- Specification Writers' Guide: Refer to the Specification Writers' Guide for wording and formatting instructions and suggestions. To view or download the Specification Writers' Guide from the UDOT Standards and Specifications Web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=719>.

## *3) Assistance and Contact Information*

For assistance or to obtain the Project Specification Creation Instructions, Federal Advertising Checklist, or Specification Writers' Guide, refer to the UDOT Standards and Specifications section contact list at the following link: <http://www.udot.utah.gov/index.php/m=c/tid=524>.

## **Prepare Measurement and Payment (M&P)**

The M&P document specifies how each contract item is measured and how the Contractor is paid. To view or download M&P set up instructions or the latest M&P sample document from the UDOT Standards and Specifications web site, refer to the following link: <http://www.udot.utah.gov/index.php?m=c&tid=302>. From this link, select the current year Standards link, followed by the current year M&P link. Refer to the Measurement and Payment Section of the Roadway Design Manual of Instruction for additional information on the M&P Document.

Refer to the Standards and Specifications Contact Web page at <http://www.udot.utah.gov/index.php/m=c/tid=524> for contact information and further assistance.

## **Prepare Engineer's Estimate**

The LGA/Consultant prepares the Engineer's Estimate in UDOT's Project Development Business System (PDBS). The Engineer's Estimate consists of various sections referred to as details. To access information on the UDOT PDBS system, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=899>. To otherwise obtain information on the UDOT PDBS system, contact the UDOT Construction Division or refer to Estimates in the PDBS Section of the Roadway Design Manual of Instruction.

## **Required Reviews**

UDOT requires the following reviews prior to completion of the M&P and Final PS&E.

### *1) QC Review*

The Consultant completes the QC sign-off in accordance with the Consultant Design Contract. The Consultant then submits the QC checklists to the UDOT Project Manager. To view or download the UDOT standard QC checklists from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=995>. To otherwise obtain these checklists, contact the UDOT Consultant Services Local Government Contract Administrator.



## 2) QA Review

The Consultant completes the QA sign-off in accordance with the Consultant Design Contract. The Consultant then submits the QA checklists to the UDOT Project Manager. To view or download the UDOT standard QA checklists from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=994>. To otherwise obtain these checklists, contact the UDOT Consultant Services Local Government Contract Administrator.

## 3) UDOT Review Certification

The Consultant, in conjunction with the LGA, provides the following items to the UDOT Project Manager. The UDOT Project Manager or Functional Manager, as assigned by the Project Manager, reviews these items.

- The Final Plans
- The Special Provisions
- The M&P
- The Engineer's Estimate

## 4) UDOT Certification

The UDOT Project Manager or Functional Manager, as assigned by the Project Manager, certifies that the items above are complete. UDOT sends a certification email or letter to the Consultant and LGA within one week following certification.

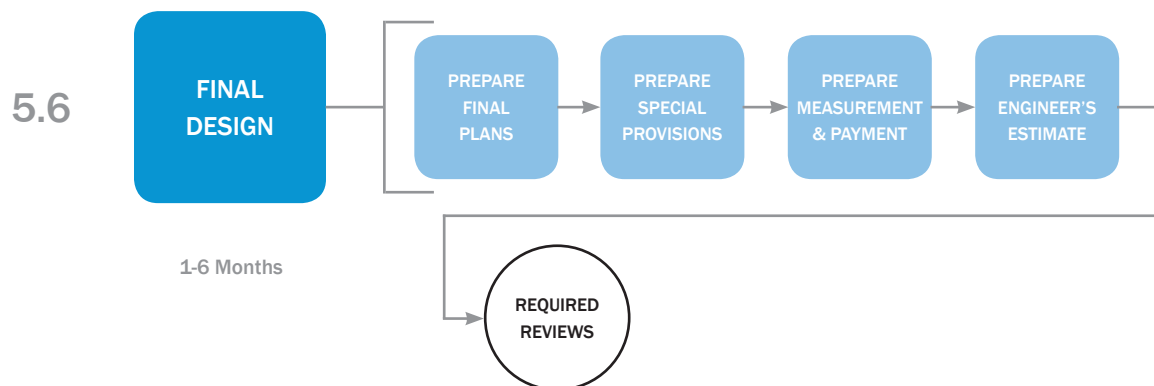
## - ACTIVITY AND DELIVERABLES CHECKLIST -

The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Prepare Final Plans
- ☐ Prepare Special Provisions
- ☐ Prepare Measurement and Payment
- ☐ Prepare PDBS Engineer's Estimate
- ☐ Confirm that the Consultant completed and submitted QC/QA Forms to the UDOT Project Manager
- ☐ Confirm that the UDOT Project Manager sent the Review Certification email or letter to the Consultant and LGA

## - TIMELINE -

The following table depicts the approximate timeline for the Final Design:





## 5.7 PLANS, SPECIFICATIONS & ENGINEER'S ESTIMATE (PS&E) REVIEW

### - INTRODUCTION -

The LGA conducts the PS&E Review following completion of the reviews in the Final Design section. The PS&E Review is a review of the PS&E Packet. Reviewers comment on project concerns and issues.

### - ACTIVITIES -

#### Review Meeting Preparation

The UDOT Project Manager and LGA agree on and document the following meeting elements:

- Purpose
- Participants
- Location
- Date
- Start Time
- Duration

The LGA notifies the Consultant of the meeting. The UDOT Project Manager notifies the appropriate UDOT personnel of the meeting.

#### Prepare PS&E Packet

The Consultant prepares the PS&E Packet.

##### 1) *The PS&E Packet Includes the Following:*

- Cover Letter or Email which documents the following:
  - Meeting Purpose
  - Meeting Participants
  - Location of Meeting
  - Date of Meeting
  - Meeting Start Time
  - Estimated Duration of Meeting
- Final Plans must meet UDOT standards and format
- Special Provisions must meet UDOT standards and format
- Measurement and Payment must meet UDOT standards and format
- Engineer's Estimate must meet UDOT standards and format

##### 2) *Prepare Copies and Distribute PS&E Packet*

The Consultant prepares and distributes a copy of the PS&E Packet to each meeting participant a minimum of one week before the meeting.

#### PS&E Review Meeting

##### 1) *Meeting Format*

The LGA, in conjunction with the UDOT Project Manager, conducts the PS&E Review meeting using one, or a combination of more than one, of the following meeting formats:

- Formal Meeting: Meeting participants attend the meeting and provide written or verbal comments during the meeting.
- Written Comments: Meeting participants submit written comments to the Consultant prior to the meeting.

## 2) Meeting Minutes

The Consultant prepares and distributes PS&E Review meeting minutes.

### Address PS&E Comments

The Consultant addresses each participant comment in the PS&E Review meeting minutes.

### Submit PS&E Comments to the Meeting Participants

The Consultant submits the PS&E Review meeting minutes to the meeting participants for review and comment.

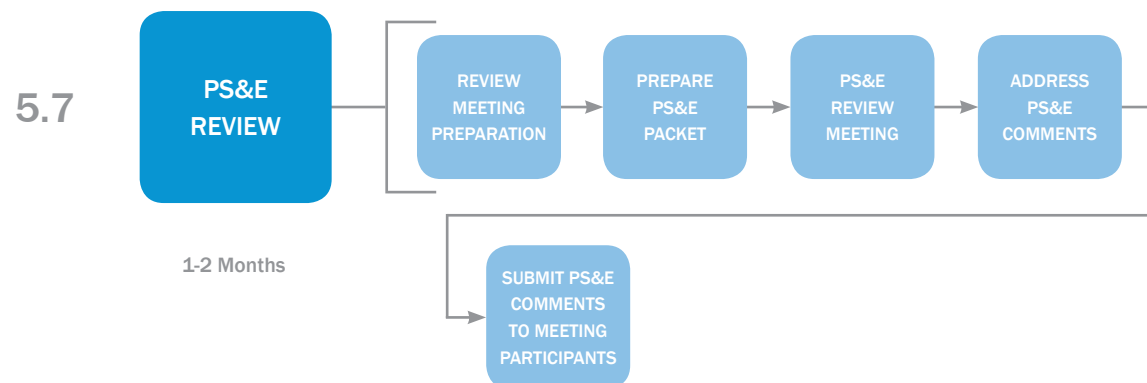
### - ACTIVITY AND DELIVERABLES CHECKLIST -

The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Agree on and document PS&E meeting elements
- ☐ Confirm that the Consultant prepared and distributed the PS&E Packet
- ☐ File a copy of the PS&E Packet
- ☐ Conduct PS&E Meeting
- ☐ Confirm that the Consultant addressed participant comments in PS&E Meeting Minutes
- ☐ Confirm that the Consultant submitted the PS&E Meeting Minutes to the meeting participants
- ☐ File PS&E Meeting Minutes
- ☐ File PS&E Packet

### - TIMELINE -

The following table depicts the approximate timeline for the PS&E Review:



## 5.8 COOPERATIVE AGREEMENT MODIFICATION - CONSTRUCTION

### - INTRODUCTION -

The Cooperative Agreement Modification for Construction (CAMC) estimates the construction costs associated with the project and outlines each agency's responsibility for the costs. The LGA cannot expend Federal funds for construction without a CAMC in place. The LGA commits to the construction phase of the project by executing the CAMC prepared by the UDOT Project Manager.

## - ACTIVITIES -

### Draft CAMC

The UDOT Project Manager develops the CAMC based on input from the LGA. The UDOT Project Manager forwards the Draft CAMC to the LGA for review and comment. Depending on the scope and parameters of the project, the CAMC may include LGA Reimbursement Forms or LGA Flexible Match Forms.

#### 1) LGA Reimbursement Forms

UDOT may reimburse the LGA for project related work performed by LGA staff with Federal funds. The LGA submits the following items to the UDOT Project Manager for approval. The UDOT Project Manager attaches the forms to the CAMC if approved.

- UDOT PM Approval Memo (Prepared by UDOT Project Manager)
- Detailed Work Plan
- QC/QA Plan
- Personnel/Staffing Plan
- Schedule
- Cost Proposal
- Sub-Consultant Information
- Certificate of Insurance
- R-709

For information concerning these items, contact the UDOT Consultant Services Local Government Contract Administrator.

#### 2) LGA Flexible Match

Flexible match provides a means of contributing public and private contributions toward the non-Federal match for Federal Aid projects. Any project using Flexible Match must comply with all provisions applicable to all Federal Aid highway projects. To view or download the Flexible Match Guidelines from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>.

For UDOT to use Flexible Match, both parties must sign the Flexible Match Proposal Form and attach it to the CAMC prior to final processing. The LGA may not purchase, contract for, or perform any services until UDOT Consultant Services approves the Flexible Match Form. Failure to obtain approval results in Federal non-participation. To view or download the Flexible Match Proposal Form from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>. To otherwise obtain these forms, contact the UDOT Consultant Services Local Government Contract Administrator.

### Revise Agreement

Once the LGA receives the Draft CAMC, the UDOT Project Manager and LGA work together to identify and incorporate necessary changes.

### Process CAMC for Signatures

The UDOT Project Manager prepares five originals of the CAMC and sees that the LGA and the UDOT Region Director sign all copies. After obtaining the appropriate signatures, the UDOT Project Manager forwards all five copies of the CAMC to the UDOT Consultant Services Local Government Contract Administrator for distribution to the UDOT Comptroller's Office.

UDOT Consultant Services obtains any remaining signatures and prepares and distributes the CAMC to the LGA, UDOT Project Manager, and appropriate UDOT departments.

Any changes to the standard CAMC template require the UDOT Project Engineering Services Director's approval. This may require coordination with UDOT Legal Counsel and additional processing and approval time.

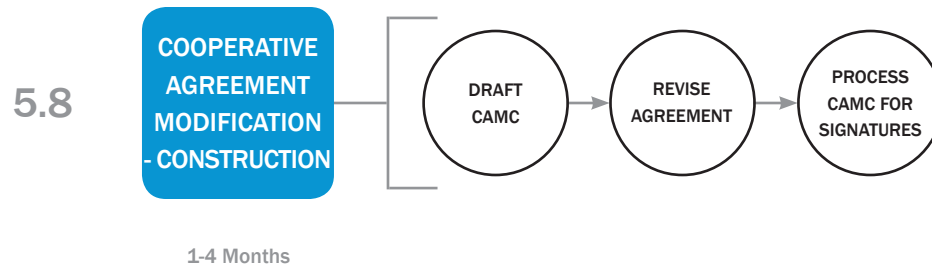
#### - ACTIVITY AND DELIVERABLES CHECKLIST -

The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Confirm that UDOT Project Manager prepared the Draft CAMC
- ☐ Confirm that UDOT Project Manager prepared the Final CAMC
- ☐ Confirm that UDOT prepared five originals of the Final CAMC and obtained LGA, UDOT Region Director, and, as necessary, the UDOT Engineering Services Director's signatures
- ☐ Confirm that UDOT Consultant Services distributed final copies of the CAMC
- ☐ File one original copy of the CAMC with signatures
- ☐ Deposit Matching Funds with the UDOT Comptroller's Office

#### - TIMELINE -

The following table depicts the approximate timeline for the CAMC:



### 5.9 CONSULTANT CONSTRUCTION CONTRACT

#### - INTRODUCTION -

UDOT requires a Consultant Construction Engineering Contract when a consultant performs construction engineering activities. The LGA cannot solicit a Request for Qualifications (RFQ), use their own selection process, or contract directly with a Consultant. Failure to follow the UDOT Consultant selection process results in Federal non-participation.

#### - ACTIVITIES -

The Consultant Services Manual of Instruction contains the specific activities associated with the Local Government Consultant Selection process. To view or download this from the UDOT web site, refer to the following link: <http://www.dot.state.ut.us/index.php/m=c/tid=615>. To otherwise obtain this document, contact the UDOT Consultant Services Manager. Primary activities are as follows.

### Consultant Selection Process

The LGA selects a Consultant to perform construction engineering on the project with assistance from the UDOT Project Manager. The UDOT Project Manager coordinates with Consultant Services who determines the appropriate selection process. Selection processes include Request for Qualifications (Standard and Streamline), Engineer of Record, or Consultant Pool. Consultant Services oversees the consultant selection.

### Construction Engineering Scoping Meeting

The UDOT Project Manager, the LGA, and Consultant meet to discuss the project parameters and level of effort required to complete the project. The LGA schedules the meeting, prepares the agenda, and keeps meeting minutes.

### Scope of Work and Detailed Work Plan

**Scope of Work:** The UDOT Project Manager prepares an independent scope of work.

**Detailed Work Plan:** The Consultant prepares a Detailed Work Plan which identifies the following:

- UDOT Project Manager
- Project Name
- UDOT Project Number
- Project Location and Description
- Project Tasks with a Thorough Description of Each Task

### Prepare Cost Estimates

#### 1) *Independent Cost Estimate (ICE)*

The UDOT Project Manager and the LGA formulate an ICE.

#### 2) *Consultant Cost Estimate*

The Consultant prepares a cost estimate.

#### 3) *Cost Estimate Comparison*

The Consultant cost estimate must be within 20 percent of the UDOT Project Manager ICE to proceed with cost negotiations. The Consultant may submit a second cost estimate if the Consultant cost estimate is not within the 20 percent threshold. The LGA and UDOT Project Manager may select a new Consultant if the cost estimate again exceeds the 20 percent threshold, and negotiations do not yield a fair and reasonable price.

Consultant Services schedules a final contract negotiation meeting if the cost estimates are within the 20 percent threshold. Final negotiated costs must be within 10 percent of the UDOT Project Manager's ICE. The UDOT Project Manager must provide written justification of the difference if negotiated costs are above or below 10 percent of the UDOT Project Manager's ICE.

### Prepare Contract Information

#### 1) *Local Agency*

The LGA completes the Local Government Project Manager Review Memo and submits it to the UDOT Project Manager. The Local Government Project Manager Review Memo states that the Cooperative Agreement is in place and identifies the LGA's selected consultant, consultant selection method, contract completion date, contract amount, and any other information the LGA wishes to include in the contract.

### *2) Consultant*

Under the direction of the LGA, the Consultant Project Manager submits the following to the UDOT Project Manager:

**Detailed Work Plan:** The Consultant prepares a Detailed Work Plan which identifies the following:

- UDOT Project Manager
- Project Name
- UDOT Project Number
- Project Location and Description
- Project Tasks with a Thorough Description of Each Task

**Executive Summary:** The executive summary will include a brief description of the work, identify any unknowns or state that the project is fully scoped, phasing and the reasons for phasing, the contract fee type (unit price, lump sum, or cost plus fixed fee), and the reason for selecting the contract fee type.

**Cost Proposal:** The cost proposal references the UDOT Project Manager, project name, UDOT project number, project location, and description. Each project task includes an estimated cost using a UDOT approved overhead rate and travel rates, with all direct expenses showing the number of units times the rate. The Prime Consultant must do a minimum of 60 percent of the work.

**Work Schedule:** The work schedule identifies estimated current initiation and completion dates by project task and includes the Consultant Evaluation Midpoint date.

**Project QC/QA Plan:** The Consultant provides a QC/QA Plan for construction engineering services.

**Staffing Plan:** The Staffing Plan identifies all staff assigned to the project along with their respective firm or company information, project title, certification category or level, Utah license or certification number, education level, estimated project hours, and rate of pay (labor, billing, and unit price). To view or download a sample Staffing Plan Form from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>. To otherwise obtain these checklists, contact the UDOT Consultant Services Local Government Contract Administrator.

**Sub-Consultant Information:** The sub-consultant provides a letter detailing the work plan and an estimated cost if the contract is under \$5,000. The sub-consultant must provide the items above if the contract amount is above \$5,000.

**Certificate of Liability Insurance:** For all contracts, the Consultant will provide a Certificate of Liability Insurance. To view or download insurance requirements from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=287>. To otherwise obtain these requirements, contact the UDOT Consultant Services Local Government Contract Administrator.

### *3) UDOT Project Manager*

The UDOT Project Manager is responsible to coordinate with the UDOT Local Government Contract Administrator to submit the following contract items.

- Consultant information noted in item above
- Scope of Work
- ePM Screen 430: Independent Cost Estimate (ICE)
- ePM Screen 505: Information related to estimated project costs
- Consultant Services Financial Screening Form
- Project Manager Approval Memorandum
- R-709

### Process Contract Information

The UDOT Project Manager, LGA, and Consultant review the project costs itemized in the contract. The UDOT Project Manager submits items B.5.a, b, and c to Consultant Services for further processing if all agree. Consultant Services and the LGA perform the following activities to process the contract information:

#### 1) Consultant Services

- Prepare Contract
- Obtain UDOT signatures
- Contact the Consultant: Notify them that the document is ready for Consultant and LGA signatures
- Notice to Proceed: After the LGA obtains the necessary signatures, UDOT Consultant Services issues a Notice to Proceed to the Consultant and distributes executed contract copies to the LGA, Consultant, UDOT Project Manager, and appropriate UDOT departments

#### 2) Local Government Agency

- Obtain and sign the contract
- Obtain consultant signature on the contract
- Return signed contract to Consultant Services

### - ACTIVITY AND DELIVERABLES CHECKLIST -

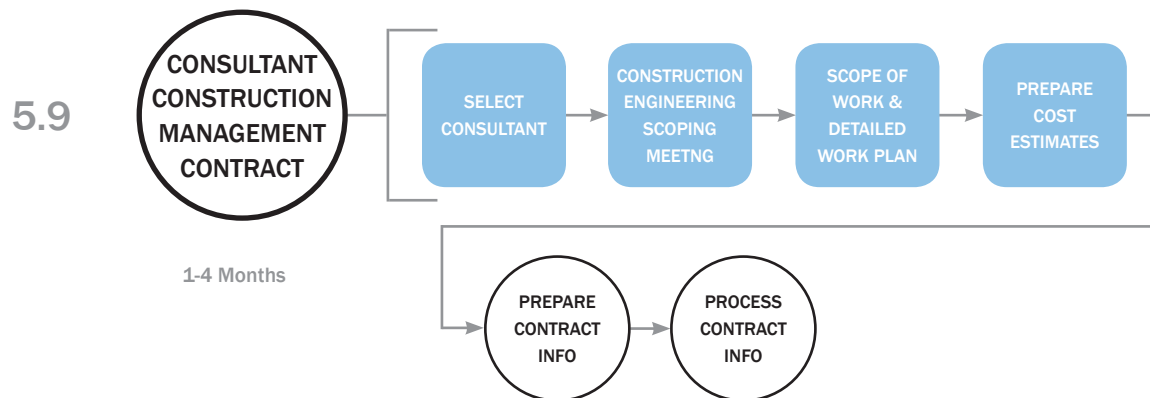
The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Select a Consultant for the project with help from the UDOT Project Manager
- ☐ Schedule and conduct the Construction Engineering Scoping Meeting
- ☐ Prepare, distribute, and file the Contract Scoping Meeting agenda and minutes
- ☐ Prepare independent Scope of Work with help from the UDOT Project Manager
- ☐ Confirm that the Consultant prepared a Detailed Work Plan
- ☐ Prepare an ICE with help from the UDOT Project Manager
- ☐ Prepare Local Government Project Manager Review Memo and submit it to the UDOT Project Manager
- ☐ Confirm that UDOT Consultant Services sent a Selection Notification Letter to the Consultant (only for RFQ selection)
- ☐ Confirm that the Consultant provided the following contract information and documentation to the UDOT Project Manager:
  - ☐ Detailed Work Plan
  - ☐ Executive Summary
  - ☐ Cost Proposal
  - ☐ Work Schedule
  - ☐ QC/QA Plan
  - ☐ Staffing Plan
  - ☐ Sub-consultant Information
  - ☐ Certificate of Liability Insurance
- ☐ Confirm that the UDOT Project Manager prepared the following contract items:
  - ☐ Items from the Consultant
  - ☐ Scope of Work
  - ☐ ICE
  - ☐ ePM Screen 505
  - ☐ Consultant Financial Screening Form
  - ☐ Project Manager Approval Memorandum
  - ☐ R-709

- ❑ Confirm that Consultant Services processed the contract information, distributed the contract for signature, provided Notice to Proceed, and distributed the executed contract
- ❑ File executed contract

#### - TIMELINE -

The following table depicts the approximate timeline for the Consultant Construction Contract:



### 5.10 ADVERTISING PACKET

#### - INTRODUCTION -

Unless otherwise approved by the UDOT Project Manager in writing, the LGA advertises for contractor bids through UDOT. The Advertising Packet consists of the PS&E Packet, incorporating appropriate changes from the PS&E Review, and the items noted in the Federal Advertising Checklist.

#### - ACTIVITIES -

##### Prepare Draft Advertising Packet

Under the direction of the LGA, the Consultant completes the following:

- Complete Federal Advertising Checklist Activities that require the Responsible Party to initial and date
- Complete the Federal Advertising Checklist
- Prepare a Draft Advertising Packet which consists of the complete Federal Advertising Checklist and the completed items noted on the checklist under the Responsible Party Column.

To view or download the Federal Advertising Checklist from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=302>. From this link, select the current Standards link, followed by the current Project Checklist link. To otherwise obtain this document, contact the UDOT Specifications Engineer.

##### Submit Draft Advertising Packet for Review

The Consultant submits the Draft Advertising Packet to the UDOT Region Project Management Support Staff for comment and review.



### UDOT Region Project Management Support Staff Review

UDOT Region Project Management Support Staff reviews the Draft Advertising Packet and provides comments to the Consultant following receipt of the Draft Advertising Packet.

### Prepare Final Advertising Packet

The Consultant makes the changes to the Draft Advertising Packet based on review comments provided by the UDOT Region Project Management Support Staff and submits the Final Advertising Packet to the UDOT Region Project Management Support Staff.

The UDOT Region Project Management Support Staff prepares the items required on the Federal Advertising Checklist, initials and dates the Checklist in the Support Staff column, and submits the Final Advertising Packet to the UDOT Advertising Coordinator.

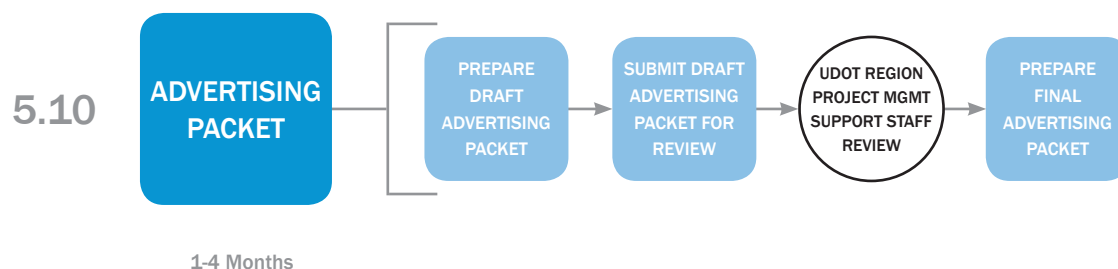
### - ACTIVITY AND DELIVERABLES CHECKLIST -

The LGA completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Confirm that the Consultant prepared the Draft Advertising Packet
- ☐ Confirm that the Consultant submitted the Draft Advertising Packet to the UDOT Region Project Management Support Staff for review
- ☐ Confirm that the UDOT Region Project Management Support Staff reviewed the Draft Advertising Packet and provided comments to the Consultant following receipt of the Draft Advertising Packet
- ☐ Confirm that the Consultant incorporated changes to the Draft Advertising Packet based on review comments provided by the UDOT Region Project Management Support Staff
- ☐ Confirm that the Consultant submitted the Final Advertising Packet to the UDOT Region Project Management Support Staff
- ☐ Confirm that the UDOT Region Project Management Support Staff prepared the items required on the Federal Advertising Checklist, initialed and dated the Checklist in the Support Staff column, and submitted the Final Advertising Packet to the UDOT Advertising Unit
- ☐ File a Copy of the Final Advertising Packet and completed Advertising Checklist

### - TIMELINE -

The following table depicts the approximate timeline for the Advertising Packet:





## 6.1 ADVERTISING

### - INTRODUCTION -

Contractors participate in the Advertising process to competitively bid on projects. The Bidding Requirements and Conditions Section of the Construction Manual of Instruction and Standard Specifications 00120 and 00515 outline the process.

To view or download the Construction Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=316>. To otherwise obtain this document, contact the UDOT Central Construction and Materials Division.

### - ACTIVITIES -

UDOT, in consultation with the LGA, performs the Advertising process. A brief overview of the advertising process activities is included below:

#### **Advertise Project**

UDOT advertises the project in local newspapers for a minimum period of four weeks. For contractor bidding requirements see Standard Specification 00120. To view or download the Standard Specification 00120 from the UDOT web site, refer to the following link: <http://www.dot.state.ut.us/index.php/m=c/tid=302>. To otherwise obtain this document, contact the UDOT Specifications Engineer.

#### **Consideration of Bid Proposals**

UDOT publicly opens Bid Proposals, compares bids based on the summation of the quantities and the unit bid prices, and identifies the lowest bidder. UDOT, in consultation with the LGA, reserves the right to reject any or all Bid Proposals, waive technicalities, or advertise for new Bid Proposals.

#### **Award of Contract**

The LGA sends a letter of concurrence on LGA letterhead to the UDOT Project Manager. UDOT, in consultation with the LGA, awards the contract to the lowest responsible bidder within 30 calendar days following bid opening.

#### **Execution of Contract and Notice to Proceed**

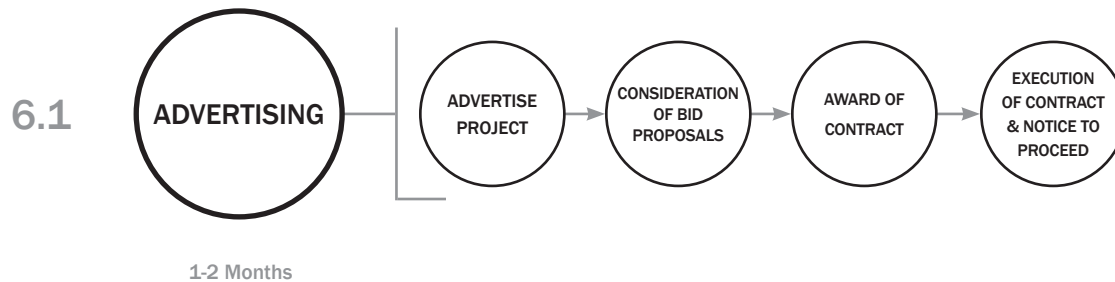
The Contractor returns the signed contract, properly executed contract bonds, and all required insurances to UDOT within 15 calendar days following the date UDOT awarded the contract. UDOT executes the contract and issues the Contractor a written notice to proceed within 30 calendar days following receipt of the signed contract, bonds, and insurances if all documents are in order.

### - ACTIVITY AND DELIVERABLES CHECKLIST -

The Manual of Construction and Standard Specifications 00120 and 00515 identify the activities and deliverables for the Advertising process.

## - TIMELINE -

The following table depicts the approximate timeline for Advertising:



## 6.2 CONSTRUCTION ADMINISTRATION

### - INTRODUCTION -

UDOT construction project administration involves decision-making and documentation of all processes to ensure project conformance to the plans and specifications. The UDOT Resident Engineer provides oversight to assure conformance with plans, specifications, and contracts. For duties of “responsible charge”, refer to Chapter III-B of the FHWA Contract Administration Core Curriculum Participant’s Manual and Reference Guide. To view or download this manual, refer to the following link: [http://www.fhwa.dot.gov/programadmin/contracts/cor\\_IIIB.htm#IIIB2](http://www.fhwa.dot.gov/programadmin/contracts/cor_IIIB.htm#IIIB2).

### - ACTIVITIES -

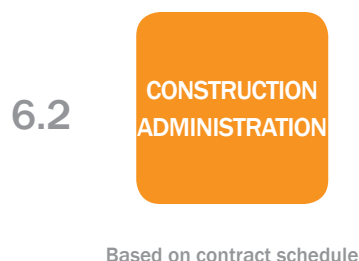
The UDOT Construction Manual of Instruction identifies and defines all Construction Administration activities. To view or download the Construction Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=316>. To otherwise obtain this document, contact the UDOT Central Construction and Materials Division.

### - ACTIVITY AND DELIVERABLES CHECKLIST -

The UDOT Construction Manual of Instruction identifies all Construction Administration activities and deliverables.

## - TIMELINE -

The following table depicts the approximate timeline for Construction Administration:



## 6.3 MATERIALS TESTING

### - INTRODUCTION -

Materials Testing assures that the materials incorporated into the project are in reasonable conformance with the plans and specifications. Materials testing must meet the requirements of the contract documents. The key components of materials testing are the Materials Acceptance and Independent Assurance Programs. The Materials Manual of Instruction outlines both programs.

To view or download the Materials Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=644>. To otherwise obtain this document, contact the UDOT Central Construction and Materials Division.

The Materials Acceptance Program (MAP) includes acceptance testing and verification testing. The Consultant Engineer directs all acceptance tests. Individuals who meet the qualifications of the UDOT Technical Training and Qualification Program perform acceptance tests in laboratories that meet the requirements of the UDOT Laboratory Qualification Program.

The Independent Assurance Program (IA) includes independent assurance testing, personnel qualifications, and laboratory qualifications. UDOT qualified laboratory personnel or a UDOT designated agent performs IA activities in qualified testing laboratories in accordance with applicable procedures. For the purposes of this manual, the Testing Entity performs all MAP and IA activities.

Commitments related to the FHWA Stewardship Program establish requirements for the MAP. There is no difference between the requirements on a state funded project versus a Federally funded project. Changes to the MAP require the approval of the UDOT Central Construction and Materials Division and the FHWA local office.

### - ACTIVITIES -

The MAP located in the Materials Manual of Instruction details materials testing activities. The Contractor and Consultant must adhere to the Materials Manual of Instruction version that is current at the time UDOT bids the project.

#### Acceptance Testing

The Testing Entity performs Acceptance Testing activities in accordance with the specifications. The specifications identify the tests and the frequency of testing. The Testing Entity procedures for sampling the materials, performing tests, and documenting results must reference national standards such as AASHTO, American Society for Testing and Materials (ASTM) or UDOT standards and practices.



The UDOT Minimum Sampling and Testing Requirements (MS&T) define the minimum frequencies for Materials Acceptance Testing and represent the absolute minimum requirements for the identified materials. The contract specifications must not conflict with the MS&T. Failure to meet MS&T requirements may result in loss of Federal funds.

#### Verification Testing

The Testing Entity performs verification testing in accordance with the specifications for Design Build and QC/QA projects. The specifications identify the tests and the frequency of testing. The Testing Entity procedures for sampling the materials, performing tests, and documenting results must reference national standards such as AASHTO, ASTM or UDOT standards.

### Independent Assurance Testing

The Materials Manual of Instruction outlines the requirements for Independent Assurance testing. The Testing Entity performs and documents Independent Assurance testing at a project level to maintain Federal participation.

### Personnel and Laboratory Qualifications

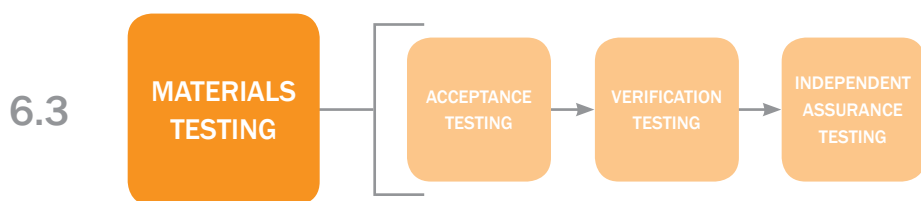
The Materials Manual of Instruction outlines personnel and laboratory qualifications. The Testing Entity adheres to and documents qualifications to validate acceptance testing.

#### - ACTIVITY AND DELIVERABLES CHECKLIST -

The Materials Testing deliverables include documentation that all sampling, testing, personnel, and equipment meet the requirements outlined in the contract documents.

#### - TIMELINE -

The Testing Entity performs Materials Testing documentation and Independent Assurance testing throughout the project as they perform sampling and testing activities. The Testing Entity completes Materials Testing documentation and Independent Assurance testing activities prior to project closeout. The Testing Entity documents personnel and laboratory qualification prior to performing any sampling or testing on the project. The following table depicts the approximate timeline for Materials Testing:



Based on contract schedule

## 6.4 PROJECT INSPECTION

#### - INTRODUCTION -



The Consultant Engineer, or his or her representatives on the project, performs project inspection activities and documents these activities on a daily basis. Forms of documentation include inspector's daily reports, materials placement inspection, project diaries, Measurement and Payment information, and project visual reviews related to traffic control and conformance items.

#### - ACTIVITIES -

The Construction Manual of Instruction outlines the required activities, information, and forms associated with project inspection. To view or download the Construction Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=316>. To otherwise obtain this document, contact the UDOT Central Construction and Materials Division. The Consultant Engineer performs inspection and documentation activities as the project progresses. The Consultant Engineer completes project inspection activities prior to project closeout.

#### - ACTIVITY AND DELIVERABLES CHECKLIST -

The Construction Manual of Instruction includes checklists associated with project inspection.

## - TIMELINE -

The following table depicts the approximate timeline for Project Inspection:

6.4

PROJECT  
INSPECTION

Based on contract schedule

## 6.5 PROJECT CLOSEOUT

### - INTRODUCTION -



From a construction and materials standpoint, project closeout is likely the most crucial element of project administration. The Consultant Engineer collects and reviews all contract administration and materials testing and inspection products to assure that the necessary documents are present and that they comply with the plans, specifications, and contracts.

The project closeout products fit into one of two general categories: construction administration and materials acceptance. The Construction Manual of Instruction presents considerations for organizing and reviewing the project closeout products. Process reviews, performed by the Construction Division, are useful in identifying organizational and documentation needs. Project Closeout occurs following substantial completion of the Contractors' work.

### - ACTIVITIES -

#### Construction Administration Documentation

Items associated with the Construction Administration Documentation include sub-contracts, correspondence, civil rights issues, payrolls, change orders, and diaries. The Consultant Engineer refers to the Construction Manual of Instruction to identify the procedures to follow and forms to use.

To view or download the Construction Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=316>. To otherwise obtain this document, contact the UDOT Central Construction and Materials Division.

The Consultant Engineer reviews all construction related items. To obtain a comprehensive item review checklist, contact the UDOT Central Construction and Materials Division. The Consultant Engineer pays special attention to, and correctly maintains, the following items:

**Civil Rights Issues:** Disadvantaged Business Enterprise (DBE) Requirements, payroll, prompt payment

**Change Orders:** Detail regarding decisions and outcomes, appropriate signatures, and proper timing (i.e. before work is performed)

**Traffic Control Reports**

**Pre-construction & Post-construction Meetings & Reports:** detailed notes on discussions and decisions

## Materials Acceptance Documentation

Items associated with the Materials Acceptance Documentation include mix designs, sampling processes, materials test reports, price adjustments, personnel qualifications, equipment calibrations, and laboratory qualifications. The Consultant Engineer refers to the Construction and Materials Manuals of Instruction to identify the proper procedures to follow and forms to use.

To view or download the Materials Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=644>. To view or download the Construction Manual of Instruction from the UDOT web site, refer to the following link: <http://www.udot.utah.gov/index.php/m=c/tid=316>. To otherwise obtain these documents, contact the UDOT Central Construction and Materials Division.

The Consultant Engineer reviews all materials related items. To obtain a comprehensive item review checklist, contact the UDOT Central Construction and Materials Division. The Consultant Engineer pays special attention to, and correctly maintains, the following items:

**C-106 Form – Price Adjustments:** The Consultant Engineer includes a summary of details

**C-196 Form – Materials Certification:** The Consultant Engineer includes details of any non-conforming material incorporated in the project and identify whether the material is eligible for Federal Participation

**T-348 Form – Materials Summary:** The Consultant Engineer prepares a running total summary for material such as base courses. The Consultant Engineer uses these totals to verify that the minimum sampling and testing requirements were met

**Source Acceptance Testing:** Required for aggregates used in base and surface courses

**Materials Certifications:** Manufacturer supplied certifications documenting that the material is in conformance with project specifications

**Personnel and Laboratory Qualifications:** Documentation that qualified personnel performed acceptance testing using qualified equipment

**Independent Assurance Testing:** The Consultant Engineer reviews and documents personnel and equipment history

**Visual Inspection Reports:** The Consultant Engineer documents ALL requirements of the specification, whether the material meets specifications, and justification for allowing non-specification material to remain in place

## Discrepancies

In the event that the Consultant failed to meet minimum frequency or specification requirements, the Consultant Engineer is responsible to address discrepancies through additional post-construction testing or engineering analysis. Contact the UDOT Region Materials Engineer for assistance in identifying possible approaches and solutions.

## - ACTIVITY AND DELIVERABLE CHECKLIST -

The Maintenance and Construction Manuals of Instruction include activity and deliverable checklists.

## - TIMELINE -

The following table depicts the approximate timeline for Project Closeout:

6.5

PROJECT  
CLOSEOUT

1 Month



## 7.1 PROJECT CONTRACT AUDITS

### - INTRODUCTION -

Project third party contract-related audits performed in accordance with generally accepted auditing standards directly benefit Federal Aid projects. Consultant and utility contracts relating to Federal Aid projects are subject to a post audit by representatives of the state and Federal Government. UDOT performs audits on all consultant contracts over \$250,000. However, UDOT may perform audits on contracts less than \$250,000 if:

- The entity has past audit problems, is unfamiliar with Federal regulations, or has few contracts with UDOT
- UDOT has concerns with contract costs
- The contract is otherwise selected for audit review

UDOT uses no dollar threshold in determining the need for Utility contract audits. Lump sum Utility agreements do not require later audit confirmation.

### - ACTIVITIES -

UDOT Internal Audit and the UDOT Comptroller's Office are responsible for coordinating and scheduling the following post audit contract activities:

- Receive final contract billing from the Consultant or Utility
- Determine if a Consultant or utility post audit is required
- Confirm that the UDOT Comptroller's Office submitted request for contract audit to Internal Audit
- Perform a post audit in accordance with generally accepted auditing standards
- Issue a post audit report
- Confirm that the UDOT Comptroller's Office processed post audit finding recommendations
- Update the contract status in Electronic Contract Database

### - ACTIVITY AND DELIVERABLES CHECKLIST -

The UDOT Comptroller's Office completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Confirm receipt of the final Consultant or Utility contract billing
- ☐ Confirm that Internal Audit determined if a Consultant or Utility post audit was required
- ☐ Confirm that the UDOT Comptroller's Office submitted the request for contract audit to Internal Audit
- ☐ Confirm that Internal Audit issued a post audit report
- ☐ Confirm that the UDOT Comptroller's Office processed post audit finding recommendations
- ☐ Confirm that the UDOT Comptroller's Office updated the contract status in Electronic Contract Database

## - TIMELINE -



## 7.2 FINANCIAL PROJECT CLOSEOUT

### - INTRODUCTION -

Project closeout with FHWA is the final process of the project life cycle. Upon project completion, UDOT Systems Planning and Programming issues a Termination of Authority notice to notify FHWA of project closure. UDOT terminates projects within three months of construction completion.

### - ACTIVITIES -

The process of closing Federal Aid projects includes the following activities:

#### **Final Accounting**

The UDOT Comptroller's Office performs a final accounting of the project financial records and closes all non-contractual phases (03C, 05E, 07R, and 12S) of the project for expenditures upon project termination. Final accounting also includes reconciliation of contract expenditures to project records and monitoring outstanding items such as final contract billings and post audits.

#### **Document Maintenance**

FHWA requires UDOT and the LGA to maintain the following documents. These documents must accompany the final voucher:

- Statement of Materials and Labor (Form FHWA-47M) used by contractors on highway construction
- Final Contractor Estimate
- Materials Certification (Form C196)
- Certification that railroad work and utility work is complete in accordance with terms of the agreement
- Utility Fiscal Review Report (Form C193) completed by Project Manager
- Right-of-way map or plan
- Statement of right of way costs reflecting parcel numbers, parcel cost, cost of excess land, and incidental expenses

#### **Final Voucher**

The UDOT Comptroller's Office submits the final voucher to FHWA. The final voucher is a financial summary of all project costs incurred and the amount of Federal reimbursements paid.

## Release of Federal Funds

UDOT Systems Planning and Programming releases unexpended, project obligated Federal funds in the Financial Management Information System (FMIS).

## Final Records Retention

Refer to 49 CFR Part 18.42 (a)(2)(b), Length of Retention Period.

## Project Monitoring and Tracking

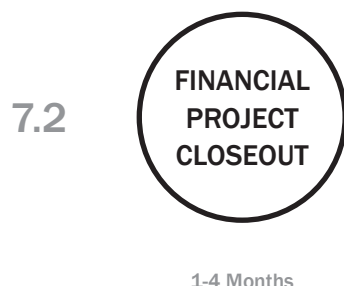
The UDOT Comptroller's Office performs project monitoring and tracking on terminated projects. Monitoring and tracking includes quarterly reminders to responsible officials for project closure.

### - ACTIVITY AND DELIVERABLES CHECKLIST -

The UDOT Comptroller's Office completes and files the following checklist and associated deliverables. A copy of this checklist is included in the Appendix.

- ☐ Obtain the Final Construction Estimate from the Construction Division
- ☐ Obtain the Termination of Authority (Form R-77) issued by UDOT Systems Planning and Programming
- ☐ Confirm that the UDOT Comptroller's Office entered the project into the Electronic Project Tracking Database for monitoring closeout of the completed project
- ☐ Confirm that the UDOT Comptroller's Office closed FINET project phases for control of non-contractual project expenditures
- ☐ Submit final Consultant/Utility Contracts
- ☐ Confirm that UDOT closed all contracts
- ☐ Confirm that the UDOT Comptroller's Office reconciled the contract expenditures to project accounting
- ☐ Confirm that Internal Audit requested or performed post audits on the consultant and utility contracts
- ☐ Confirm that the UDOT Comptroller's Office submitted a preliminary voucher to UDOT Systems Planning and Programming for review and to adjust FMIS for under/excess funding obligations
- ☐ Confirm that the Right-of-Way Cost Certification was prepared and approved by Director of Right-of-Way
- ☐ Confirm that FHWA issued the Final Acceptance Report (Form 1466B) on non-stewardship projects
- ☐ Confirm that the UDOT Comptroller's Office processed and submitted the Final Voucher to the FHWA Division Office with certification by an authorized representative of UDOT
- ☐ Confirm processing of the final billing
- ☐ Confirm the UDOT Systems Planning and Programming released unexpended Federal funds obligated in FMIS
- ☐ Confirm project closure in FINET, FMIS, and ePM Systems

### - TIMELINE -





## 8.1 ACTIVITY AND DELIVERABLES CHECKLISTS

- 5.1 Cooperative Agreement Activity and Deliverable Checklist
- 5.2 Consultant Design Contract Activity and Deliverable Checklist
- 5.3 Environmental Document and Preliminary Design Activity and Deliverables Checklist
- 5.5 Cooperative Agreement Modification – Right-of-Way Activity and Deliverables Checklist
- 5.6 Final Design Activity and Deliverables Checklist
- 5.7 PS&E Review Activity and Deliverables Checklist
- 5.8 Cooperative Agreement Modification – Construction Activity and Deliverables Checklist
- 5.9 Consultant Construction Contract Activity and Deliverables Checklist
- 5.10 Advertising Packet Activity and Deliverables Checklist
- 7.1 Project Contract Audit Activity and Deliverables Checklist
- 7.2 Project Financial Closeout Activity and Deliverables Checklist

## 8.2 SAMPLE COOPERATIVE AGREEMENTS

- One-Stop Cooperative Agreement
- One-Stop Transportation Enhancement Cooperative Agreement

## 8.3 MISCELLANEOUS

- Engineer of Record Form

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.1 COOPERATIVE AGREEMENT ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Hold Project Orientation Meeting
- ☐ Prepare, distribute, and file the Project Orientation Meeting agenda and minutes
- ☐ Confirm that UDOT Project Manager prepared the Draft Cooperative Agreement
- ☐ Confirm that UDOT Project Manager prepared the Final Cooperative Agreement
- ☐ Confirm that UDOT prepared five originals of the Final Cooperative Agreement and obtained LGA, UDOT Region Director, and, as necessary, the UDOT Engineering Services Director signatures
- ☐ Confirm that UDOT Consultant Services distributed final copies of the Agreement
- ☐ File one original copy of the Cooperative Agreement with signatures
- ☐ Deposit Matching Funds with the UDOT Comptroller's Office

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.2 CONSULTANT DESIGN CONTRACT

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Select a Consultant for the project with help from the UDOT Project Manager
- ☐ Schedule and conduct the Contract Scoping Meeting
- ☐ Prepare, distribute, and file the Contract Scoping Meeting agenda and minutes
- ☐ Prepare independent Scope of Work with help from the UDOT Project Manager
- ☐ Confirm that the Consultant prepared a Detailed Work Plan
- ☐ Prepare ICE with help from the UDOT Project Manager
- ☐ Prepare Local Government Project Manager Review Memo and submit to the UDOT Project Manager
- ☐ Confirm that UDOT Consultant Services sent a Selection Notification Letter to the Consultant (Only for RFQ selection)
- ☐ Confirm that the Consultant provided the following contract information and documentation to the UDOT Project Manager:
  - ☐ Detailed Work Plan
  - ☐ Cost Proposal
  - ☐ QC/QA Plan
  - ☐ Sub-consultant Information
  - ☐ Executive Summary
  - ☐ Work Schedule
  - ☐ Staffing Plan
  - ☐ Certificate of Liability Insurance
- ☐ Confirm that the UDOT Project Manager prepared the following contract items:
  - ☐ Items from the Consultant
  - ☐ ICE
  - ☐ Consultant Financial Screening Form
  - ☐ R-709
  - ☐ Scope of Work
  - ☐ ePM Screen 505
  - ☐ Project Manager Approval Memorandum
- ☐ Confirm that Consultant Services processed the contract information, distributed the contract for signature, provided Notice to Proceed, and distributed the executed contract
- ☐ Confirm that the UDOT Project Manager set up the project in the ePM system

#### COMMENT

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.3 ENVIRONMENTAL DOCUMENT AND PRELIMINARY DESIGN ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Confirm that the Cooperative Agreement is executed prior to initiation of any environmental work
- ☐ File the list of potential environmental impacts
- ☐ Confirm that the Consultant submitted the list of potential environmental impacts to the Region Environmental Manager along with a copy of the Local Government Project Concept Report
- ☐ Confirm that the Environmental Manager, in conjunction with FHWA, determined document type required for the project
- ☐ Confirm that the Consultant, in conjunction with UDOT, prepared the Environmental Document (Draft and Final)
- ☐ File a copy of all Environmental Documents (Draft and Final)
- ☐ Confirm that the Consultant completed and submitted QC/QA forms
- ☐ Confirm that the UDOT Project Manager performed required reviews
- ☐ Confirm that the UDOT Project Manager sent a UDOT Review Certification email or letter to the Consultant and LGA

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_



## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.5 COOPERATIVE AGREEMENT MODIFICATION – RIGHT-OF-WAY ACTIVITY & DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Confirm that the UDOT Project Manager prepared the Draft CAMROW
- ☐ Confirm that Consultant prepared and submitted initial right-of-way cost estimate, resource plan, and parcel maps to UDOT Consultant Services
- ☐ Confirm that UDOT Consultant Services forwarded the initial right-of-way cost estimate, resource plan, and parcel maps to UDOT Right-of-Way for review
- ☐ Confirm that UDOT Right-of-Way approved the initial right-of-way cost estimate, resource plan, and parcel maps
- ☐ Confirm that UDOT prepared five originals of the Final CAMROW and obtained LGA, UDOT Region Director, and, as necessary, the UDOT Engineering Services Director signatures
- ☐ Confirm that the UDOT Project Manager forwarded all five originals of the CAMROW, completed R-709 form, initial right-of-way cost estimate, resource plan, and parcel maps to UDOT Consultant Services
- ☐ Confirm that UDOT Consultant Services forwarded the completed R-709 form to UDOT Systems Planning and Programming for approval
- ☐ Confirm that UDOT Systems Planning and Programming approved the R-709 form
- ☐ Confirm that UDOT Consultant Services distributed final copies of the CAMROW
- ☐ File one original copy of the CAMROW with signatures
- ☐ Deposit Matching Funds with the UDOT Comptroller's Office

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.6 FINAL DESIGN ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Prepare Final Plans
- ☐ Prepare Special Provisions
- ☐ Prepare Measurement and Payment
- ☐ Prepare PDBS Engineer's Estimate
- ☐ Confirm that the Consultant completed and submitted QC/QA Forms to the UDOT Project Manager
- ☐ Confirm that the UDOT Project Manager sent the Review Certification email or letter to the Consultant and LGA

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.7 PS&E REVIEW ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Agree on and document PS&E meeting elements
- ☐ Confirm that the Consultant prepared and distributed the PS&E Packet
- ☐ File a copy of the PS&E Packet
- ☐ Conduct PS&E Meeting
- ☐ Confirm that the Consultant addressed participant comments in PS&E Meeting Minutes
- ☐ Confirm that the Consultant submitted the PS&E Meeting Minutes to the meeting participants
- ☐ File PS&E Meeting Minutes
- ☐ File PS&E Packet

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.8 COOPERATIVE AGREEMENT MODIFICATION – CONSTRUCTION ACTIVITY & DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Confirm that UDOT Project Manager prepared the Draft CAMC
- ☐ Confirm that UDOT Project Manager prepared the Final CAMC
- ☐ Confirm that UDOT prepared five originals of the Final CAMC and obtained LGA, UDOT Region Director, and, as necessary, the UDOT Engineering Services Director signatures
- ☐ Confirm that UDOT Consultant Services distributed final copies of the CAMC
- ☐ File one original copy of the CAMC with signatures
- ☐ Deposit Matching Funds with the UDOT Comptroller's Office

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.9 CONSULTANT CONSTRUCTION CONTRACT ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Select a Consultant for the project with help from the UDOT Project Manager
- ☐ Schedule and conduct the Construction Engineering Scoping Meeting
- ☐ Prepare, distribute, and file the Contract Scoping Meeting agenda and minutes
- ☐ Prepare independent Scope of Work with help from the UDOT Project Manager
- ☐ Confirm that the Consultant prepared a Detailed Work Plan
- ☐ Prepare ICE with help from the UDOT Project Manager
- ☐ Prepare Letter of Concurrence and submit to the UDOT Project Manager
- ☐ Confirm that UDOT Consultant Services sent a Selection Notification Letter to the Consultant (Only for RFQ selection)
- ☐ Confirm that the Consultant provided the following contract information and documentation to the UDOT Project Manager:
  - ☐ Detailed Work Plan
  - ☐ Cost Proposal
  - ☐ QC/QA Plan
  - ☐ Sub-consultant Information
  - ☐ Executive Summary
  - ☐ Work Schedule
  - ☐ Staffing Plan
  - ☐ Certificate of Liability Insurance
- ☐ Confirm that the UDOT Project Manager prepared the following contract items:
  - ☐ Items from the Consultant
  - ☐ ICE
  - ☐ Consultant Financial Screening Form
  - ☐ Project Manager Approval Memorandum
  - ☐ Scope of Work
  - ☐ ePM Screen 505
  - ☐ R-709
- ☐ Confirm that Consultant Services processed the contract information, distributed the contract for signature, provided Notice to Proceed, and distributed the executed contract
- ☐ File executed contract

#### COMMENTS

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 5.10 ADVERTISING PACKET ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The LGA completes and files the following checklist and associated deliverables.

- ☐ Confirm that the Consultant prepared the Draft Advertising Packet
- ☐ Confirm that the Consultant submitted the Draft Advertising Packet to the UDOT Region Project Management Support Staff for review
- ☐ Confirm that the UDOT Region Project Management Support Staff reviewed the Draft Advertising Packet and provided comments to the Consultant following receipt of the Draft Advertising Packet
- ☐ Confirm that the Consultant incorporated changes to the Draft Advertising Packet based on review comments provided by the UDOT Region Project Management Support Staff
- ☐ Confirm that the Consultant submitted the Final Advertising Packet to the UDOT Region Project Management Support Staff
- ☐ Confirm that the UDOT Region Project Management Support Staff prepared the items required on the Federal Advertising Checklist, initialed and dated the Checklist in the Support Staff column, and submitted the Final Advertising Packet to the UDOT Advertising Unit
- ☐ File a Copy of the Final Advertising Packet and completed Advertising Checklist

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 7.1 PROJECT CONTRACT AUDIT ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The UDOT Comptroller's Office completes and files the following checklist and associated deliverables.

- ☐ Confirm receipt of the final Consultant or utility contract billing
- ☐ Confirm that Internal Audit determined if a Consultant or utility post audit was required
- ☐ Confirm that the UDOT Comptroller's Office submitted the request for contract audit to Internal Audit
- ☐ Confirm that Internal Audit issued a post audit report
- ☐ Confirm that the UDOT Comptroller's Office processed post audit finding recommendations
- ☐ Confirm that the UDOT Comptroller's Office updated the contract status in Electronic Contract Database

#### COMMENTS

---

---

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_

## LOCAL GOVERNMENT TRANSPORTATION CHECKLIST

### 7.2 FINANCIAL PROJECT CLOSEOUT ACTIVITY AND DELIVERABLE CHECKLIST

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ PIN: \_\_\_\_\_

#### ACTIVITIES

The UDOT Comptroller's Office completes and files the following checklist and associated deliverables.

- ☐ Obtain the Final Construction Estimate from the Construction Division
- ☐ Obtain the Termination of Authority (Form R-77) issued by Systems Planning and Programming
- ☐ Confirm that the UDOT Comptroller's Office entered the project into the Electronic Project Tracking Database for monitoring closeout of the completed project
- ☐ Confirm that the UDOT Comptroller's Office closed FINET project phases for control of non-contractual project expenditures
- ☐ Submit final Consultant/Utility Contracts
- ☐ Confirm that UDOT closed all contracts
- ☐ Confirm that the UDOT Comptroller's Office reconciled the contract expenditures to project accounting
- ☐ Confirm that Internal Audit requested or performed post audits on the consultant and utility contracts
- ☐ Confirm that the UDOT Comptroller's Office submitted a preliminary voucher to Systems Planning and Programming for review and to adjust FMIS for under/excess funding obligations
- ☐ Confirm that the Right-of-Way Cost Certification was prepared and approved by Director of Right-of-Way
- ☐ Confirm that FHWA issued the Final Acceptance Report (Form 1466B) on non-stewardship projects
- ☐ Confirm that the UDOT Comptroller's Office processed and submitted the Final Voucher to the FHWA Division Office with certification by an authorized representative of UDOT
- ☐ Confirm processing of the final billing
- ☐ Confirm the UDOT Systems Planning and Programming released unexpended Federal funds obligated in FMIS
- ☐ Confirm project closure in FINET, FMIS, and ePM Systems

#### COMMENTS

---

---

---

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

Signature: \_\_\_\_\_



## COOPERATIVE AGREEMENT

with  
FEDERAL PARTICIPATION

THIS Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Utah Department of Transportation hereinafter referred to as "UDOT", and <INSERT LOCAL AUTHORITY NAME>, State of Utah, acting through its <INSERT MAYOR OR COUNCIL> herein after referred to as "LOCAL AUTHORITY", witnesses that:

WHEREAS, in the execution of <INSERT JOB/PROJECT NO. AND STIP LIST PROJECT NAME> project (the "Project"), the LOCAL AUTHORITY agrees to pay all costs of the Project, less any amount reimbursed to UDOT by the Federal Government; and

WHEREAS, UDOT's Policy for Local Government Projects provides that UDOT not perform project, design or construction engineering for local government projects, unless a hardship exists and substantial savings can be realized by using UDOT engineering resources and UDOT resources are available; and

WHEREAS, the LOCAL AUTHORITY agrees to comply with the applicable UDOT and Federal Highway Administration (FHWA) Federal-aid Program Procedures and Standards that apply to the Project; and

WHEREAS, by law, UDOT may not expend State Funds on any local government project:

NOW, THEREFORE, it is agreed by and between the Parties hereto as follows:

Description of Work and Requirements Involved:

1. **UDOT Responsibility:**
  - a. Award the Project, with concurrence from the LOCAL AUTHORITY, using UDOT procedures.
  - b. Provide an Oversight Manager or Consultant Oversight Manager for the Project.
  - c. Provide, upon written request, concept meeting, scoping meeting, Right of Way acquisition approval and certification, utility agreements and certification.
  - d. Provide Review and Approval for; Environmental Documentation, Project Reports, P.S & E, and Final Advertising of the Project.
  - e. Advertise the Project for bid and award the construction contract with the written concurrence of the LOCAL AUTHORITY.

- f. Provide Technical Assistance and Engineering Services to the Project only if such Technical Assistance and Engineering Services are requested in writing from the LOCAL AUTHORITY and are not available from private consultants.

- g. Charge appropriate costs for Technical Assistance and Engineering Services to the LOCAL AUTHORITY.

- h. Charge appropriate costs for Oversight Management, Federal Compliance Assurance or project reviews to the Project.

- i. Execute all Federal authorization approvals (R-709 forms).

2. **Liability:** LOCAL AUTHORITY agrees to hold harmless and indemnify UDOT, its officers, employees and agents (Indemnities) from and against all claims, suits and costs, including attorney's fees for injury or damage of any kind, arising out of the LOCAL AUTHORITY's acts, errors or omissions in the performance of this Project.

Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the Project does not relieve the LOCAL AUTHORITY of its duty in the performance of this Project or to insure compliance with acceptable standards.

3. **Project Engineer:** Herein after referred to as "PROJECT ENGINEER" must be a professional engineer licensed in the State of Utah and will directly perform or have direct charge of project engineering, environmental /pre-construction engineering, design, or construction management/engineering, inspection and acceptance testing.

- a. The LOCAL AUTHORITY with the concurrence of UDOT shall designate a PROJECT ENGINEER by person for the Project Pre-Construction and Construction phase (they are not required to be the same person):
  - i. With approval of UDOT, a Local Government or LOCAL AUTHORITY employed engineer,
  - ii. Through a UDOT approved consultant pool list, an approved consultant(s) engineer,
  - iii. Or be required to follow UDOT mandatory qualification selection process.
  - iv. UDOT's approval of the PROJECT ENGINEER shall not be construed to waive the LOCAL AUTHORITY'S indemnification, as set out in Section 2.

4. **Financing and Reimbursement of Project Cost:** The costs shown in ATTACHMENT A, Financial Sheet are only ESTIMATES for the various phases of the Project. Actual costs exceeding any funds outside the Commission approved STIP amount will be paid by the LOCAL AUTHORITY. The funding percentages match applies to the Commission approved STIP amount only. Any request for additional federal funding above the approved amount will require the LOCAL AUTHORITY to make an official request to UDOT, their MPO or the Joint Highway Committee and the Transportation

Commission for extra matching funds. An amendment may be required to the STIP with an advertisement to the public if approved by the Transportation Commission. This may require and amendment to the STIP with an advertisement to the public if approved by the Transportation Commission.

- a. UDOT Technical Assistance and Engineering Services: The LOCAL AUTHORITY shall pay all costs (both direct and indirect) for any Technical Assistance and Engineering Services performed by UDOT relative to this Project.
- b. UDOT Administration and Oversight: The LOCAL AUTHORITY shall pay all costs (both direct and indirect) for Design Reviews, Approvals, Agreements, and Project Oversight or Management performed by UDOT less the eligible amount reimbursed to UDOT by the Federal Government.
- c. LOCAL AUTHORITY Administration and Engineering cost: All reimbursable Administration and engineering provided by the LOCAL AUTHORITY shall have an approved scope of work attached herein or as part of an approved Engineering Services contract through UDOT and be authorized by FHWA with an executed R-709 form. Administration and Engineering completed prior to or out side of a UDOT approved contract and this cooperative agreement may not be eligible for federal reimbursement.

The LOCAL AUTHORITY shall submit billings for administrative and /or PROJECT ENGINEERING costs it has incurred in two copies, properly certified, to the UDOT and/or Consultant Oversight Manager. All billing shall be submitted within six weeks of the award of the Construction Contract for design phase costs and no later than six weeks after completion of final project construction. Payment shall be made to the LOCAL AUTHORITY for work covered by the billing. Further adjustments for total Project costs and the LOCAL AUTHORITY's participation therein shall be made at the final invoice stage. The LOCAL AUTHORITY MAY NOT BILL FOR OVERHEAD COSTS UNLESS APPROVED BY THE UDOT Comptroller.

- d. Construction: The LOCAL AUTHORITY shall pay all costs of construction and construction engineering, less the eligible amount reimbursed to UDOT by the Federal Government. The Joint Highway Committee limits federal participation in construction engineering costs to 20 percent of the construction contract costs for local government projects, provided that the average statewide cost for construction engineering does not exceed 15 percent limit required by the Federal Government. Construction engineering includes UDOT Project Oversight and Consultant Construction Engineering. Exemptions from this policy must be justified by the LOCAL AUTHORITY and agreed to in writing by the UDOT Local Government Programs Engineer and attached herein.
- e. Consultant Project Engineer: Consultants contracted, as the PROJECT ENGINEER shall submit four copies of certified billings with attached supporting

data for costs incurred to the LOCAL AUTHORITY. The LOCAL AUTHORITY and UDOT and/or Consultant Oversight Manager shall review and approve the billings. The LOCAL AUTHORITY acting as the PROJECT ENGINEER shall submit billings per paragraph "e". The UDOT Consultant Services Accountant within the Comptroller's Office shall pay the PROJECT ENGINEER.

- f. Project Underruns: UDOT Comptroller shall provide the LOCAL AUTHORITY with a final invoice, showing all costs, after final inspection and acceptance of the Projects by FHWA. If deposited amount stated above exceeds the LOCAL AUTHORITY's share of the design of the Project, UDOT shall return the amount of overpayment to the LOCAL AUTHORITY.
  - g. Project Overruns: If the total Project actual costs or estimated costs exceed the estimated amounts by \$10,000.00 at any point of the Project life, UDOT may require the LOCAL AUTHORITY to modify ATTACHMENT A of this agreement and pay for the overrun or estimated overrun prior to the Project being advertised, or pay within 30 days of notification during the Project construction phase. UDOT may delay advertising the Project until the payment is made. In any event, should the LOCAL AUTHORITY fail to reimburse UDOT for costs that exceed the federal reimbursement, federal funding for other LOCAL AUTHORITY projects or B&C road funds may be withheld until payment is made.
  - h. Cost Tracking: UDOT shall furnish a quarterly statement to the LOCAL AUTHORITY and the UDOT and/or Consultant Oversight Manager showing costs charged to the Project.
  - i. Termination: If this agreement is terminated for reasons other than satisfactory completion of the provisions of this agreement, UDOT may bill the LOCAL AUTHORITY for all costs incurred, providing prepaid amounts do not cover expenditures. The LOCAL AUTHORITY shall pay such costs within 30 days after receiving the billing. Federal funds for future projects may be withheld until payment is made.
5. Project Plans, Specification and Estimate Final plans, specifications and estimate shall be approved by the LOCAL AUTHORITY and reviewed by UDOT acting for the Federal Highway Administration prior to advertising.
  6. **Final Inspection and Acceptance:** The UDOT Comptroller shall provide the LOCAL AUTHORITY with a final invoice after final inspection and acceptance of the Project by FHWA. If the deposited amount stated above exceeds the LOCAL AUTHORITY's share of the Project, UDOT shall return the amount of overpayment to the LOCAL AUTHORITY.

7. **Construction Change Orders:** An authorized LOCAL AUTHORITY official shall approve all construction change orders. Before approving a change order, the LOCAL AUTHORITY shall discuss it with UDOT.

8. **Maintenance:** The LOCAL AUTHORITY shall properly maintain and restore each type of roadway, structure and facility as nearly as possible to its original condition as constructed or improved in accordance with State and Federal requirements. Future utility installations will be made according to UDOT's Administrative Rule R930-6 "Accommodations of Utilities and the Control and Protection of State Highway Rights of Ways".

9. **Parking Regulation and Traffic Control:** After the effective date of this agreement, no changes in parking regulations and traffic control will be made on this Project without prior approval of UDOT unless the LOCAL AUTHORITY has a functioning traffic engineering unit with the demonstrated ability, as determined by UDOT, to apply and maintain sound traffic operations and control. Any requests for revisions shall be submitted through UDOT's Region Traffic Operations Engineer.

10. **Certification of Consultant Selection Process:** The LOCAL AUTHORITY certifies that the consultant selection process used for obtaining the Consultant Design Engineer for this Project is in conformance with UDOT and FHWA requirements. Failure to conform to these requirements may result in loss of Federal funds for the Project.

11. **Termination:** This agreement may be terminated as follows:

- a. By mutual agreement of the Parties, in writing.
- b. By either UDOT if the LOCAL AUTHORITY for failure of any of the Parties to fulfill the obligations as set forth in the provisions of this agreement. Reasonable allowances will be made for circumstances beyond the control of the Parties. Written notice of intent to terminate is required and shall specify the reasons for termination. The Party to whom notice is given shall have thirty (30) days from issuance of the notice to cure the violation. However, if UDOT wishes to terminate the Agreement, it may do so immediately if UDOT believes, in its sole discretion, that the LOCAL AUTHORITY is violating it in such a way that it may result in harm to the public, using Federal funds inappropriately, or if FHWA requests immediate termination.
- c. By UDOT for the convenience of the State upon written notice to the LOCAL AUTHORITY.
- d. Upon satisfactory completion of the provisions of this agreement.

12. Inter-local Cooperation Act Requirements:

- a. This agreement shall be authorized by resolution of the governing body of each Party to Utah Code Ann. § 11-13-202.5

- b. This agreement shall be approved as to form and legality by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Act;
- c. A duly executed original counterpart of this agreement shall be filed with the keeper of records of each Party, pursuant to Utah Code Ann. § 11-13-209 of the Act.
- d. Except as otherwise specifically provided herein, each Party shall be responsible for its own costs of any action done pursuant to this agreement, and for any financing of such costs; and
- e. No separate legal entity is created by the term of this agreement. To the extent that this agreement requires administration other than as set forth herein, it shall be administered by the mayor of the LOCAL AUTHORITY and the Region Director of UDOT, acting as a joint board.
- f. The Parties as a result of this agreement shall acquire no real or personal property jointly. To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this agreement, such Party shall do so in the same manner that it deals with other property of such Party.
- g. Pursuant to Utah Code Ann. § 11-13-209, this Agreement does not take effect until it is filed with the keeper of records for each of the Parties.

13. **Representation Regarding Ethical Standards for LOCAL AUTHORITY Officers and Employees and Former LOCAL AUTHORITY Officers and Employees:**

UDOT represents that it has not: (1) provided any illegal gift or payoff to a LOCAL AUTHORITY officer or employee of former LOCAL AUTHORITY officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the LOCAL AUTHORITY's conflict of interest ordinance; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a LOCAL AUTHORITY officer or employee or former LOCAL AUTHORITY officer or employee to breach any of the ethical standards set forth in the LOCAL AUTHORITY's conflict of interest ordinance.

14. **Right Of Way and Oversight:** The LOCAL AUTHORITY agrees that all Right Of Way acquired for use by the Project will comply with UDOT and Federal procedures for property acquisition, description and recording. UDOT and Federal law apply to all Project property acquisition regardless of fund source used to acquire property for the Project.

To ensure compliance the LOCAL AUTHORITY agrees to the following:

- (1) Request, from UDOT any Technical Assistance and/or Engineering required from UDOT and not available from private consultants.
- (2) Request from UDOT approval for Right of Way appraisal and acquisition.
- (3) Provide Right of Way plans to UDOT standards and an estimate of the Right of Way Costs for the Project.
- (4) Contract with pre-approved appraiser, negotiator, acquisition, and relocation agents for the purchase of all Right of Way on this Project. (A list of pre-approved Right of Way appraiser, negotiator, and acquisition and relocation agents is located at <http://www.udot.utah.gov> Project Development, Consultant Services, and Pools.)
- (5) Request approval from UDOT's Right of Way Division to use LOCAL AUTHORITY employees to negotiate Right of Way Acquisition.
- (6) Submit to UDOT, all applicable Right of Way appraisal and negotiation documentation for compensation to property owners, using forms supplied by the UDOT Right of Way Department.
- (7) Provide certification of Right of Way upon completion of Right of Way acquisition, to include a listing of all parcels purchased.
- (8) NOT request reimbursement for any excess acquisitions that are not billable to FHWA.

15. **Right of Way Reimbursement Claims**

The LOCAL AUTHORITY shall comply with 23 CFR 710.203 for FHWA reimbursement requests of real property acquisitions. A LOCAL AUTHORITY shall not request reimbursement for excess acquisitions which are not eligible for FHWA reimbursement under 23 CFR 710.203 (6) Property not incorporated into a project funded under title 23 of the United States Code. Refer to <http://www.gpoaccess.gov/cfr/retrieve.html> for additional information on 23 CFR 710.203. Right of Way work performed in advance of FHWA approval for authorization to proceed on Federal-aid project will not be reimbursed to the LOCAL AUTHORITY.

16. **Audit Requirements for Right of Way Reimbursement**

Reimbursements to the LOCAL AUTHORITY for Right of Way claims are classified as a pass-through of Federal funds from UDOT to the LOCAL AUTHORITY. A LOCAL AUTHORITY receiving Federal funds is subject to the audit requirements of the Office of Management and Budget Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations. A single audit conducted in accordance with OMB Circular No. A-133 is required if a LOCAL AUTHORITY receives \$500,000 or more in a year in Federal funds from all sources. Refer to <http://www.whitehouse.gov/omb/circulars/a133/a133.html#b> for additional information. The LOCAL AUTHORITY shall provide copies of required audits to the Utah Department of Transportation, Internal Audit, 4501 South 2700 West, Box 148230, Salt

Lake City, Utah 84114-8230 and the Federal Highway Administration Utah Division, 2520 W. 4700 S., Suite 9A, Salt Lake City, UT 84118.

17. **Right of Way Disposal/Lease Proceeds**

For real property disposals the LOCAL AUTHORITY shall comply with 23 CFR 710.409 and 710.403. The LOCAL AUTHORITY should have property management records, which identify inventories of real property considered excess to Project needs. If a LOCAL AUTHORITY determines that real property initially acquired as part of the Project is declared excess and disposed of the LOCAL AUTHORITY must comply with 23 CFR 710.409 and 710.403. This requires that the Federal share of net income from the sale or lease of real property acquired with Federal assistance be used for Title 23 eligible projects. Refer to <http://www.gpoaccess.gov/cfr/retrieve.html> for additional information.

The LOCAL AUTHORITY shall deposit the net proceeds from the sale or lease with UDOT to be applied towards a Title 23 eligible project as authorized by the appropriate Metropolitan Planning Organization or the Joint Highway Committee.

18. **Cost Principles and Grant Administration Requirements**

LOCAL AUTHORITY shall comply with the Code of Federal Regulations, Title 49, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. LOCAL AUTHORITY shall also comply with the cost principles and procedures in the Office of Management and Budget, Circular A-87, Cost Principles for State and Local Governments. Refer to <http://www.whitehouse.gov/omb/circulars/a087/a087-all.html> for additional information.

19. **FHWA Provisions:** The LOCAL AUTHORITY shall comply with ATTACHMENT B, General FHWA Provisions for Federal-aid Agreement.

20. **Modification:** This Agreement may be modified only upon the written agreement of both Parties.

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

IN WITNESS THEREOF, the Parties hereto have caused these presents to be executed by their duly authorized officers as of the day, month, and year first above written.

AUTHORIZED LOCAL AUTHORITY OFFICIAL

By: \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

UTAH DEPARTMENT OF TRANSPORTATION REGION OFFICE

By: \_\_\_\_\_ Date \_\_\_\_\_

Title: Region Director

UTAH DEPARTMENT OF TRANSPORTATION

Project management Administration signature required when the standard boilerplate agreement has been modified.



Check box if Project Management Administration signature is required.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Title: Director of Engineering Services

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: Comptroller's Office

This form agreement has been reviewed and approved by the designated representative of the Attorney General.

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

ATTACHMENT A  
COOPERATIVE REIMBURSEMENT AGREEMENT

PROJECT FUNDING SOURCE PLAN				Required Match	Source of Match By Name	TOTAL
Fund Source: Fed/ State/ LG	STIP AMOUNT	Cash	Soft*			
STP	<INSERT \$>	<INSERT \$>	<INSERT \$>	<INSERT LG>		\$0.00
BRO 20% Match	<INSERT \$>	<INSERT \$>	N/A			\$0.00
CMAQ	<INSERT \$>	<INSERT \$>				\$0.00
HPP	<INSERT \$>	<INSERT \$>				\$0.00
Additional Funding						-
Other LOCAL AUTHORITY	<INSERT \$>					\$0.00
Total Value of Project						\$0.00
PROJECT COST ESTIMATE CASH OUTLAY						
				Federal Eligible	Ineligible	
Design						
UDOT or Consultant Oversight Admin, Design, and Review				\$0.00	\$0.00	
Local Government Design Admin				\$0.00	\$0.00	
Consultant Design Engineering				\$0.00	\$0.00	
Right of Way						
UDOT Right Of Way Assistance				\$0.00	\$0.00	
UDOT Review, Services, & Technical Asst.				\$0.00	\$0.00	
Construction						
Utilities				\$0.00	\$0.00	
UDOT Construction Oversight/Monitoring				\$0.00	\$0.00	
Construction Contract				\$0.00	\$0.00	
Consultant Construction Engineering				\$0.00	\$0.00	
Total Eligible and Ineligible Project Costs				\$0.00	\$0.00	
ELIGIBLE SOFT MATCH DONATIONS						
Type	Source	Description	Eligible Approved			
Services			Amount			
Materials			\$0.00			
Right of Way			\$0.00			
Total Eligible Donations			\$0.00			
* Soft match must be pre-approved by Systems Planning and Programming Local Government Program Engineer Refer to <a href="http://www.dot.state.ut.us/download.php?id=287/Co-opFlexibleMatchGuidelines.pdf">http://www.dot.state.ut.us/download.php?id=287/Co-opFlexibleMatchGuidelines.pdf</a> for additional guidelines on soft match donations.						



UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List/Project Name:<INSERT>

FEDERAL AND LOCAL AUTHORITY PROJECT OBLIGATION			
Total Project Value (Estimated Cash Outlay and Eligible Donations)			
Pro Rata			
Federal Pro Rate Obligation of Project Value	0.00%	(Federal Share Limited	
LOCAL AUTHORITY Pro Rate Match of Project Value	0.00%	to Actual Cash Outlay)	
Ineligible Project Costs			
Total LOCAL AUTHORITY Obligation			
Credit for Eligible Donations Applied to Design Phase			
Credit for Amount Already on Deposit with UDOT			
Additional Amount to be Deposited With UDOT			
Eligible Donations Balance to be applied to Construction Phase			

Payment of LOCAL AUTHORITY Matching Share: Upon signing this agreement, the LOCAL AUTHORITY will pay their matching share and any additional funds due at each Phase (Design, ROW, Construction) as per Attachment C, estimated at \$ <INSERT SUM>. The LOCAL AUTHORITY shall make a check payable to the Utah Department of Transportation referencing the Project number <INSERT PROJECT NUMBER>. Payment should be mailed to the UDOT Comptroller's Office, 4501 South 2700 West, and Salt Lake City, Utah 84119-5998.

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name:<INSERT>

## ATTACHMENT B

### GENERAL FHWA PROVISIONS FOR FEDERAL-AID AGREEMENT

1. **General Provisions:** The Grantee will comply with all Federal laws and requirements which are applicable to grant agreements, and imposed by the Federal Highway Administration (FHWA) concerning special requirements of law, program requirements, and other administrative requirements.

2. **Modification:** This agreement may be amended at any time by a written modification properly executed by both the FHWA and the Grantee.

3. **Retention and Custodial for Records:**

(a) The Grantee shall retain all original documents, statistical records, and all other records pertinent to this instrument shall be retained for a period of three (3) years after the expiration of the 3-year period, the records shall be retained until all litigation claims, or audit findings involving the records have been resolved.

(1) If litigation, claims, or audit is started before the expiration of the 3-year period, the records shall be retained until all litigation claims, or audit findings involving the records have been resolved.

(2) Records for non-expendable property, if any, required with Federal funds shall be retained for three years after its final disposition.

(3) When records are transferred to or maintained by FHWA, the 3-year retention requirement is not applicable to the recipient.

(b) The retention period starts from the date of the submission of the final expenditure report.

(c) The Secretary of Transportation and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the recipient, and its contractors and subcontractors, to make audits, examinations, excerpts, and transcripts.

4. **Equal Employment Opportunity:**

(a) The applicant/recipient agrees to incorporate in all contracts having a value of over \$10,000, the provisions requiring compliance with Executive Order 11246, as amended, and implementing regulations of the United States Department of Labor at 41 CFR 60, the provisions of which, other than the standard EEO clause and applicable goals for employment of minorities and women, may be incorporated by reference.

(b) The applicant/recipient agrees to ensure that its contractors and subcontractors, regardless of tier, awarding contracts and/or issuing purchase orders for material, supplies, or equipment over \$10,000 in value will incorporate the required EEO provisions in such contracts and purchase orders.

(c) The applicant/recipient further agrees that its own employment policies and practices will be without discrimination based on race, color, religion, sex, national origin, handicap or age, and that it has, or will develop, and submit to FHWA by August 1, an affirmative action plan consistent with the Uniform Guidelines on Employee Selection Procedures, 29 CFR 1607, and the Affirmative Action Guidelines, 29 CFR 1608.

5. **Copeland Act:** All contracts in excess of \$2,000 for construction or repair awarded by recipient and its contractors or subcontractors shall include a provision for compliance with the Copeland Anti-Kick Back Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3).

(a) The recipient shall ensure that its contractors and subcontractors, regardless of tier, awarding contracts and/or issuing purchase orders for material, supplies, or equipment over \$10,000 in value will incorporate the required EEO provisions in such contracts and purchase orders.

(b) The applicant/recipient further agrees that its own employment policies and practices will be without discrimination based on race, color, religion, sex, national origin, handicap or age, and that it has, or will develop, and submit to FHWA by August 1, an affirmative action plan consistent with the Uniform Guidelines on Employee Selection Procedures, 29 CFR 1607, and the Affirmative Action Guidelines, 29 CFR 1608.

6. **Davis-Bacon Act:** When required by the Federal program legislation, all construction contracts awarded by the recipient and its contractors or subcontractors shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3145) as supplemented in Department of Labor regulations (29 CFR, Part 3).

(a) The recipient shall ensure that its contractors and subcontractors, regardless of tier, awarding contracts and/or issuing purchase orders for material, supplies, or equipment over \$10,000 in value will incorporate the required EEO provisions in such contracts and purchase orders.

(b) The applicant/recipient further agrees that its own employment policies and practices will be without discrimination based on race, color, religion, sex, national origin, handicap or age, and that it has, or will develop, and submit to FHWA by August 1, an affirmative action plan consistent with the Uniform Guidelines on Employee Selection Procedures, 29 CFR 1607, and the Affirmative Action Guidelines, 29 CFR 1608.

7. **Contract Work Hours and Safety Standards Act:** Where applicable, all contracts awarded by recipient in excess of \$2,500 that involve the employment of mechanics and laborers shall include a provision for compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-350) as supplemented by Department of Labor regulation (29 CFR, Part 5).

(a) The recipient shall ensure that its contractors and subcontractors, regardless of tier, awarding contracts and/or issuing purchase orders for material, supplies, or equipment over \$10,000 in value will incorporate the required EEO provisions in such contracts and purchase orders.

(b) The applicant/recipient further agrees that its own employment policies and practices will be without discrimination based on race, color, religion, sex, national origin, handicap or age, and that it has, or will develop, and submit to FHWA by August 1, an affirmative action plan consistent with the Uniform Guidelines on Employee Selection Procedures, 29 CFR 1607, and the Affirmative Action Guidelines, 29 CFR 1608.

8. **Access to Records:** All negotiated contracts (except those of \$10,000 or less) awarded by recipients shall include a provision to the effect that the recipient shall make available to the Comptroller General of the United States, or any of their duly authorized representatives, appropriate access to any books, records, papers, transcripts, or other documents of the contract which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts, and transcripts.

9. **Civil Rights Act:** The recipient shall comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and in accordance with Title VI of that Act, no person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the applicant/recipient receives Federal financial assistance. The specific requirements of the United States Department of Transportation (49 CFR 21.1) and on file with the U.S. DOT) are incorporated in this grant agreement.

(a) The primary purpose of and instrument is to provide employment, or

(b) Discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.

10. **Non-discrimination:** The applicant/recipient hereby agrees that, as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 20000), related nondiscrimination statutes, and any other Federal laws and regulations which prohibit discrimination on the basis of race, color, or national origin, in any program or activity for which the applicant/recipient receives Federal financial assistance. The specific requirements of the United States Department of Transportation (49 CFR 21.1) and on file with the U.S. DOT) are incorporated in this grant agreement.

11. **Rehabilitation Act:** The recipient shall comply with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794, P.L. 93-112), and all requirements imposed by or pursuant to the regulations of the Department of Health, Education, and Welfare (45 CFR Parts 80, 81, and 84), promulgated under the foregoing statute. It agrees that, in accordance with the foregoing requirements, no otherwise qualified handicapped person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the applicant/recipient receives Federal financial assistance, and that it shall take any measures necessary to effectuate this Agreement.

12. **Government Rights (Unlimited):** FHWA shall have unlimited rights for the benefit of the Government in all other work developed in the performance of this Agreement, including the right to use same on any other Government work without additional cost to FHWA.

13. Accountability of equipment acquired in prior years will be transferred to the current year Grant. An updated inventory list will be provided by FHWA.

14. This Grant is subject to the conditions specified in the enclosed Negotiation Document.

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

15. **Drug-Free Workplace:** By signing this agreement, the recipient certifies that it is in compliance with the Drug-Free Workplace Act (41 U.S.C. Sec. 8501-8502) and implementing regulations (49 CFR Part 25), which require, in part, that grantees prohibit drug use in the workplace, notify the FHWA of any drug testing program, and take appropriate personnel action against a convicted employee or require the employee to participate in a drug abuse assistance program.

16. **Limitation on Use of Federal Funds for Lobbying for Grants in Excess of \$100,000:** By signing this agreement the recipient declares that it is in compliance with 31 U.S.C. Sec. 1352, which prohibits the use of Federally appropriated funds to influence a Federal employee, officer, or Member of Congress in connection with the making or modification of any Federal grant, loan, contract, or cooperative agreement. Unless the payment of funds is otherwise reported to FHWA, signing this agreement constitutes a declaration that no funds, including funds not Federally appropriated, were used or agreed to be used to influence this grant. Recipients of subgrants in excess of \$100,000 must make the same declarations to the grant recipient. This declaration shall be included in the grant agreement and shall be included in the award agreement and the address of each person paid or performing services for which payment is made, the amount paid, and the activity for which the person was paid.

TRANSPORTATION ENHANCEMENT PROGRAM  
COOPERATIVE AGREEMENT

with  
FEDERAL PARTICIPATION

THIS Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Utah Department of Transportation hereinafter referred to as "UDOT", and <INSERT LOCAL AUTHORITY NAME>, State of Utah, acting through its <INSERT MAYOR OR COUNCIL> herein after referred to as "LOCAL AUTHORITY", witnesses that:

WHEREAS, in the execution of <INSERT JOB/PROJECT NO. AND STIP LIST PROJECT NAME> project (the "Project"), the LOCAL AUTHORITY agrees to pay all costs of the Project, less any amount reimbursed to UDOT by the Federal Government; and

WHEREAS, UDOT's Policy for Local Government Projects provides that UDOT not perform project, design or construction engineering for local government projects, unless a hardship exists and substantial savings can be realized by using UDOT engineering resources and UDOT resources are available; and

WHEREAS, the LOCAL AUTHORITY agrees to comply with the applicable UDOT and Federal Highway Administration (FHWA) Federal-aid Program Procedures and Standards that apply to the Project; and

WHEREAS, by law, UDOT may not expend State Funds on any local government project;

NOW, THEREFORE, it is agreed by and between the Parties hereto as follows:

Description of Work and Requirements Involved:

1. UDOT Responsibility:

- a. Award the Project; with concurrence from the LOCAL AUTHORITY, using UDOT procedures.
- b. Provide an Oversight Manager or Consultant Oversight Manager for the Project.
- c. Provide, upon written request, concept meeting, scoping meeting, Right of Way acquisition approval and certification, utility agreements and certification.
- d. Provide Review and Approval for; Environmental Documentation, Project Reports, P.S & E. and Final Advertising of the Project.

- e. Advertise the Project for bid and award the construction contract with the written concurrence of the LOCAL AUTHORITY.
- f. Provide Technical Assistance and Engineering Services to the Project only if such Technical Assistance and Engineering Services are requested in writing from the LOCAL AUTHORITY and are not available from private consultants.
- g. Charge appropriate costs for Technical Assistance and Engineering Services to the LOCAL AUTHORITY.
- h. Charge appropriate costs for Oversight Management, Federal Compliance Assurance or project reviews to the Project.
- i. Execute all Federal authorization approvals (R-709 forms).

2. Liability: LOCAL AUTHORITY agrees to hold harmless and indemnify UDOT, its officers, employees and agents (Indemnities) from and against all claims, suits and costs, including attorney's fees for injury or damage of any kind, arising out of the LOCAL AUTHORITY's acts, errors or omissions in the performance of this Project.

Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the Project does not relieve the LOCAL AUTHORITY of its duty in the performance of this Project or to insure compliance with acceptable standards.

3. Project Engineer: Herein after referred to as "PROJECT ENGINEER" must be a professional engineer licensed in the State of Utah and will directly perform or have direct charge of project engineering, environmental /pre-construction engineering, design, or construction management/engineering, inspection and acceptance testing.

- a. The LOCAL AUTHORITY with the concurrence of UDOT shall designate a PROJECT ENGINEER by person for the Project Pre-Construction and Construction phase (they are not required to be the same person):
  - i. With approval of UDOT, a Local Government or LOCAL AUTHORITY employed engineer,
  - ii. Through a UDOT approved consultant pool list, an approved consultant(s) engineer,
  - iii. Or be required to follow UDOT mandatory qualification selection process.
  - iv. UDOT's approval of the PROJECT ENGINEER shall not be construed to waive the LOCAL AUTHORITY'S indemnification, as set out in Section 2.

4. Financing and Reimbursement of Project Cost: The costs shown in Attachment A, Financial Sheet are only ESTIMATES for the various phases of the Project. Actual costs



exceeding any funds outside the Commission approved STIP amount will be paid by the LOCAL AUTHORITY. The funding percentages match applies to the Commission approved STIP amount only. Any request for additional federal funding above the approved amount will require the LOCAL AUTHORITY to make an official request to UDOT, their MPO or the Joint Highway Committee and the Transportation Commission for extra matching funds. An amendment may be required to the STIP with an advertisement to the public if approved by the Transportation Commission. This may require and amendment to the STIP with an advertisement to the public if approved by the Transportation Commission.

- a. UDOT Technical Assistance and Engineering Services: The LOCAL AUTHORITY shall pay all costs (both direct and indirect) for any Technical Assistance and Engineering Services performed by UDOT relative to this Project.
- b. UDOT Administration and Oversight: The LOCAL AUTHORITY shall pay all costs (both direct and indirect) for Design Reviews, Approvals, Agreements, and Project Oversight or Management performed by UDOT less the eligible amount reimbursed to UDOT by the Federal Government.
- c. LOCAL AUTHORITY Administration and Engineering cost: All reimbursable Administration and engineering provided by the LOCAL AUTHORITY shall have an approved scope of work attached herein or as part of an approved Engineering Services contract through UDOT and be authorized by FHWA with an executed R-709 form. Administration and Engineering completed prior to or out side of a UDOT approved contract and this cooperative agreement may not be eligible for federal reimbursement.

The LOCAL AUTHORITY shall submit billings for administrative and /or PROJECT ENGINEERING costs it has incurred in two copies, properly certified, to the UDOT and/or Consultant Oversight Manager. All billing shall be submitted within six weeks of the award of the Construction Contract for design phase costs and no later than six weeks after completion of final project construction. Payment shall be made to the LOCAL AUTHORITY for work covered by the billing. Further adjustments for total Project costs and the LOCAL AUTHORITY's participation therein shall be made at the final invoice stage. The LOCAL AUTHORITY MAY NOT BILL FOR OVERHEAD COSTS UNLESS APPROVED BY THE UDOT Comptroller.

- d. Construction: The LOCAL AUTHORITY shall pay all costs of construction and construction engineering, less the eligible amount reimbursed to UDOT by the Federal Government. The Joint Highway Committee limits federal participation in construction engineering costs to 20 percent of the construction contract costs for local government projects, provided that the average statewide cost for construction engineering does not exceed 15 percent limit required by the Federal

Government. Construction engineering includes UDOT Project Oversight and Consultant Construction Engineering. Exemptions from this policy must be justified by the LOCAL AUTHORITY and agreed to in writing by the UDOT Local Government Programs Engineer and attached herein.

- e. Consultant Project Engineer: Consultants contracted, as the PROJECT ENGINEER shall submit four copies of certified billings with attached supporting data for costs incurred to the LOCAL AUTHORITY. The LOCAL AUTHORITY and UDOT and/or Consultant Oversight Manager shall review and approve the billings. The LOCAL AUTHORITY acting as the PROJECT ENGINEER shall submit billings per paragraph "e". The UDOT Consultant Services Accountant within the Comptroller's Office shall pay the PROJECT ENGINEER.
  - f. Project Under runs: UDOT Comptroller shall provide the LOCAL AUTHORITY with a final invoice, showing all costs, after final inspection and acceptance of the Projects by FHWA. If deposited amount stated above exceeds the LOCAL AUTHORITY's share of the design of the Project, UDOT shall return the amount of overpayment to the LOCAL AUTHORITY.
  - g. Project Overruns: If the total Project actual costs or estimated costs exceed the estimated amounts by \$10,000.00 at any point of the Project life, UDOT may require the LOCAL AUTHORITY to modify attachment A of this agreement and pay for the overrun or estimated overrun prior to the Project being advertised, or pay within 30 days of notification during the Project construction phase. UDOT may delay advertising the Project until the payment is made. In any event, should the LOCAL AUTHORITY fail to reimburse UDOT for costs that exceed the federal reimbursement, federal funding for other LOCAL AUTHORITY projects or B&C road funds may be withheld until payment is made.
  - h. Cost Tracking: UDOT shall furnish a quarterly statement to the LOCAL AUTHORITY and the UDOT and/or Consultant Oversight Manager showing costs charged to the Project.
  - i. Termination: If this agreement is terminated for reasons other than satisfactory completion of the provisions of this agreement, UDOT may bill the LOCAL AUTHORITY for all costs incurred, providing prepaid amounts do not cover expenditures. The LOCAL AUTHORITY shall pay such costs within 30 days after receiving the billing. Federal funds for future projects may be withheld until payment is made.
5. Project Plans, Specification and Estimate Final plans, specifications and estimate shall be approved by the LOCAL AUTHORITY and reviewed by UDOT acting for the Federal Highway Administration prior to advertising.

6. **Final Inspection and Acceptance:** The UDOT Comptroller shall provide the LOCAL AUTHORITY with a final invoice after final inspection and acceptance of the Project by FHWA. If the deposited amount stated above exceeds the LOCAL AUTHORITY's share of the Project, UDOT shall return the amount of overpayment to the LOCAL AUTHORITY.

7. **Construction Change Orders:** An authorized LOCAL AUTHORITY official shall approve all construction change orders. Before approving a change order, the LOCAL AUTHORITY shall discuss it with UDOT.

8. **Maintenance:** The LOCAL AUTHORITY shall properly maintain and restore each type of roadway, structure and facility as nearly as possible to its original condition as constructed or improved in accordance with State and Federal requirements. Future utility installations will be made according to UDOT's Administrative Rule R930-6 "Accommodations of Utilities and the Control and Protection of State Highway Rights of Ways."

9. **Parking Regulation and Traffic Control:** After the effective date of this agreement, no changes in parking regulations and traffic control will be made on this Project without prior approval of UDOT unless the LOCAL AUTHORITY has a functioning traffic engineering unit with the demonstrated ability, as determined by UDOT, to apply and maintain sound traffic operations and control. Any requests for revisions shall be submitted through UDOT's Region Traffic Operations Engineer.

10. **Certification of Consultant Selection Process:** The LOCAL AUTHORITY certifies that the consultant selection process used for obtaining the Consultant Design Engineer for this Project is in conformance with UDOT and FHWA requirements. Failure to conform to these requirements may result in loss of Federal funds for the Project.

11. **Termination:** This agreement may be terminated as follows:

- a. By mutual agreement of the Parties, in writing.
- b. By either UDOT if the LOCAL AUTHORITY for failure of any of the Parties to fulfill the obligations as set forth in the provisions of this agreement. Reasonable allowances will be made for circumstances beyond the control of the Parties. Written notice of intent to terminate is required and shall specify the reasons for termination. The Party to whom notice is given shall have thirty (30) days from issuance of the notice to cure the violation. However, if UDOT wishes to terminate the Agreement, it may do so immediately if UDOT believes, in its sole discretion, that the LOCAL AUTHORITY is violating it in such a way that it may result in harm to the public, using Federal funds inappropriately, or if FHWA requests immediate termination.

- c. By UDOT for the convenience of the State upon written notice to the LOCAL AUTHORITY.

- d. Upon satisfactory completion of the provisions of this agreement.

12. **Inter-local Cooperation Act Requirements:**

- a. This agreement shall be authorized by resolution of the governing body of each Party to Utah Code Ann. § 11-13-202.5

- b. This agreement shall be approved as to form and legality by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Act;

- c. A duly executed original counterpart of this agreement shall be filed with the keeper of records of each Party, pursuant to Utah Code Ann. § 11-13-209 of the Act.

- d. Except as otherwise specifically provided herein, each Party shall be responsible for its own costs of any action done pursuant to this agreement, and for any financing of such costs; and

- e. No separate legal entity is created by the term of this agreement. To the extent that this agreement requires administration other than as set forth herein, it shall be administered by the mayor of the LOCAL AUTHORITY and the Region Director of UDOT, acting as a joint board.

- f. The Parties as a result of this agreement shall acquire no real or personal property jointly. To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this agreement, such Party shall do so in the same manner that it deals with other property of such Party.

- g. Pursuant to Utah Code Ann. § 11-13-209, this Agreement does not take effect until it is filed with the keeper of records for each of the Parties.

13. **Representation Regarding Ethical Standards for LOCAL AUTHORITY Officers and Employees and Former LOCAL AUTHORITY Officers and Employees:**

UDOT represents that it has not: (1) provided any illegal gift or payoff to a LOCAL AUTHORITY officer or employee of former LOCAL AUTHORITY officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies

for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the LOCAL AUTHORITY's conflict of interest ordinance; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a LOCAL AUTHORITY officer or employee or former LOCAL AUTHORITY officer or employee to breach any of the ethical standards set forth in the LOCAL AUTHORITY's conflict of interest ordinance.

14. **Right Of Way and Oversight:** The LOCAL AUTHORITY agrees that all Right Of Way acquired for use by the Project will comply with UDOT and Federal procedures for property acquisition, description and recording. UDOT and Federal law apply to all Project property acquisition regardless of fund source used to acquire property for the Project.

To ensure compliance the LOCAL AUTHORITY agrees to the following:

- (1) Request, from UDOT any Technical Assistance and/or Engineering required from UDOT and not available from private consultants.
- (2) Request from UDOT approval for Right of Way appraisal and acquisition.
- (3) Provide Right of Way plans to UDOT standards and an estimate of the Right of Way Costs for the Project.
- (4) Contract with pre-approved appraiser, negotiator, acquisition, and relocation agents for the purchase of all Right of Way on this Project. (A list of pre-approved Right of Way appraiser, negotiator, and acquisition and relocation agents is located at <http://www.udot.utah.gov> Project Development, Consultant Services, and Pools.)
- (5) Request approval from UDOT's Right of Way Division to use LOCAL AUTHORITY employees to negotiate Right of Way Acquisition.
- (6) Submit to UDOT, all applicable Right of Way appraisal and negotiation documentation for compensation to property owners, using forms supplied by the UDOT Right of Way Department.
- (7) Provide certification of Right of Way upon completion of Right of Way acquisition, to include a listing of all parcels purchased.
- (8) NOT request reimbursement for any excess acquisitions that are not billable to FHWA.

15. **Right of Way Reimbursement Claims**

The LOCAL AUTHORITY shall comply with 23 CFR 710.203 for FHWA reimbursement requests of real property acquisitions. A LOCAL AUTHORITY shall not request reimbursement for excess acquisitions which are not eligible for FHWA reimbursement under 23 CFR 710.203 (6) Property not incorporated into a project funded under title 23 of the United States Code. Refer to <http://www.gpoaccess.gov/cfr/retrieve.html> for additional information on 23 CFR

710.203. Right of Way work performed in advance of FHWA approval for authorization to proceed on Federal-aid project will not be reimbursed to the LOCAL AUTHORITY.

16. **Audit Requirements for Right of Way Reimbursement**

Reimbursements to the LOCAL AUTHORITY for Right of Way claims are classified as a pass-through of Federal funds from UDOT to the LOCAL AUTHORITY. A LOCAL AUTHORITY receiving Federal funds is subject to the audit requirements of the Office of Management and Budget Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations. A single audit conducted in accordance with OMB Circular No. A-133 is required if a LOCAL AUTHORITY receives \$500,000 or more in a year in Federal funds from all sources. Refer to <http://www.whitehouse.gov/omb/circulars/a133/a133.html#b> for additional information.

The LOCAL AUTHORITY shall provide copies of required audits to the Utah Department of Transportation, Internal Audit, 4501 South 2700 West, Box 148230, Salt Lake City, Utah 84114-8230 and the Federal Highway Administration Utah Division, 2520 W. 4700 S., Suite 9A, Salt Lake City, UT 84118.

17. **Right of Way Disposal/Lease Proceeds**

For real property disposals the LOCAL AUTHORITY shall comply with 23 CFR 710.409 and 710.403. The LOCAL AUTHORITY should have property management records, which identify inventories of real property considered excess to Project needs. If a LOCAL AUTHORITY determines that real property initially acquired as part of the Project is declared excess and disposed of the LOCAL AUTHORITY must comply with 23 CFR 710.409 and 710.403. This requires that the Federal share of net income from the sale or lease of real property acquired with Federal assistance be used for Title 23 eligible projects. Refer to <http://www.gpoaccess.gov/cfr/retrieve.html> for additional information.

The LOCAL AUTHORITY shall deposit the net proceeds from the sale or lease with UDOT to be applied towards a Title 23 eligible project as authorized by the appropriate Metropolitan Planning Organization or the Joint Highway Committee.

18. **Cost Principles and Grant Administration Requirements**

LOCAL AUTHORITY shall comply with the Code of Federal Regulations, Title 49, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. LOCAL AUTHORITY shall also comply with the cost principles and procedures in the Office of Management and Budget, Circular A-87, Cost Principles for State and Local Governments. Refer to <http://www.whitehouse.gov/omb/circulars/a087/a087-all.html> for additional information.

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

19. **FHWA Provisions:** The LOCAL AUTHORITY shall comply with Attachment B, General FHWA Provisions for Federal-aid Agreement.

20. **Project Milestone:** See Attachment C, Reasonable Progress.

21. **Modification:** This Agreement may be modified only upon the written agreement of both Parties.

IN WITNESS THEREOF, the Parties hereto have caused these presents to be executed by their duly authorized officers as of the day, month, and year first above written.

AUTHORIZED LOCAL AUTHORITY OFFICIAL

By: \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

UTAH DEPARTMENT OF TRANSPORTATION REGION OFFICE

By: \_\_\_\_\_ Date \_\_\_\_\_  
Title: Region Director

UTAH DEPARTMENT OF TRANSPORTATION

Project management Administration signature required when the standard boilerplate agreement has been modified.



Check box if Project Management Administration signature is required.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Title: Director of Engineering Services

By: \_\_\_\_\_ Date \_\_\_\_\_  
Title: Comptroller's Office

This form agreement has been reviewed and approved by the designated representative of the Attorney General.

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

ATTACHMENT A

COOPERATIVE REIMBURSEMENT AGREEMENT

PROJECT FUNDING SOURCE PLAN				
Fund Source: Fed/ State/ LG	STIP AMOUNT	Cash	Required Match	Source of Match By Name
STP (TE) 20% Match	<INSERT \$>	<INSERT \$>	<INSERT \$>	<INSERT LG>
BRO 20% Match	<INSERT \$>	<INSERT \$>	<INSERT \$>	
CMAQ	<INSERT \$>	<INSERT \$>	N/A	
HPP	<INSERT \$>	<INSERT \$>		
Additional Funding	<INSERT \$>			
Other LOCAL AUTHORITY	<INSERT \$>			
Total Value of Project				
PROJECT COST ESTIMATE CASH OUTLAY				
Design			Federal Eligible	Ineligible
UDOT or Consultant Oversight Admin, Design, and Review			\$0.00	\$0.00
Local Government Design Admin			\$0.00	\$0.00
Consultant Design Engineering			\$0.00	\$0.00
Right of Way				
UDOT Right Of Way Assistance			\$0.00	\$0.00
UDOT Review, Services, & Technical Asst.			\$0.00	\$0.00
Construction				
Utilities			\$0.00	\$0.00
UDOT Construction Oversight/Monitoring			\$0.00	\$0.00
Construction Contract			\$0.00	\$0.00
Consultant Construction Engineering			\$0.00	\$0.00
Total Eligible and Ineligible Project Costs			\$0.00	\$0.00
ELIGIBLE SOFT MATCH DONATIONS				
Type	Source	Description	Eligible Approved Amount	
Services			\$0.00	
Materials			\$0.00	
Right of Way			\$0.00	
Total Eligible Donations			\$0.00	
* Soft match must be pre-approved by Systems Planning and Programming Local Government Program Engineer Refer to <a href="http://www.dot.state.ut.us/download.php?id=287/Co-opFlexibleMatchGuidelines.pdf">http://www.dot.state.ut.us/download.php?id=287/Co-opFlexibleMatchGuidelines.pdf</a> for additional guidelines on soft match donations.				

FEDERAL AND LOCAL AUTHORITY PROJECT OBLIGATION				
Total Project Value (Estimated Cash Outlay and Eligible Donations)				\$0.00
	Federal Pro Rata Obligation of Project Value	Pro Rata		
	LOCAL AUTHORITY Pro Rata Match of Project Value	0.00%		\$0.00
	Ineligible Project Costs	0.00%		\$0.00
	Total LOCAL AUTHORITY Obligation			\$0.00
	Credit for Eligible Donations Applied to Design Phase			\$0.00
	Credit for Amount Already on Deposit with UDOT			\$0.00
	Additional Amount to be Deposited With UDOT			\$0.00
	Eligible Donations Balance to be applied to Construction Phase			\$0.00

Payment of LOCAL AUTHORITY Matching Share: Upon signing this agreement, the LOCAL AUTHORITY will pay their matching share and any additional funds due at each Phase (Design, ROW, Construction) as per Attachment C, estimated at \$ <INSERT \$>. The LOCAL AUTHORITY shall make a check payable to the Utah Department of Transportation referencing the Project number <INSERT PROJECT NUMBER>. Payment should be mailed to the UDOT Comptroller's Office, 4501 South 2700 West, and Salt Lake City, Utah 84119-5998.





UDOT or Consultant Oversight Manager: <INSERT>  
PIN: <INSERT>  
Job/Project No. <INSERT>  
Project No. <INSERT>  
STIP List Project Name: <INSERT>

ATTACHMENT C  
TRANSPORTATION ENHANCEMENT PROGRAM  
REASONABLE PROGRESS

POLICY

The Project schedule must support advancing to each milestone within the maximum time frame defined here in. Time starts at approval of the first STIP listing this Project in a funded year and the Project receiving a federal project number from UDOT. The LOCAL AUTHORITY will keep UDOT informed as to any delays and/or unforeseen conditions that may hinder the Project's progress. If a project fails 6 months behind the maximum time allowed at any point in development, the UDOT Systems Planning and Programming Department will contact the LOCAL AUTHORITY requesting information as to the cause of the delays. The LOCAL AUTHORITY will be required to reply in writing within 30 days as to the Project status and recovery plans for tasks within the LOCAL AUTHORITY control.

PROCEDURES

Time frames shown below are based on approval of the first STIP listing the Project in a funded year. It is the responsibility of the LOCAL AUTHORITY, if desired and justified, to negotiate an alternate schedule with the UDOT Local Government Programs Engineer prior to COOP execution.

UDOT DESIGN PROCESS Implementation Milestones	DEADLINE TO COMPLETE	
	CUMULATIVE After STIP Approval @ 0 Months	ACTUAL DATES 15 OCT 06
1. Project Programmed by UDOT and STIP Approved	@ 3 Months	15 JAN 06
2. Cooperative Agreement (COOP) Executed (MS 705)	@ 6 Months	15 APR 06
LOCAL AUTHORITY Design Phase Match Due	@ 12 Months	15 OCT 07
3. Commence Engineering or Contract (Task 01D)	@ 14 Months	15 DEC 07
4. Environmental & Preliminary Plan Accepted (Task 25D)	@ 16 Months	15 FEB 08
5. Environmental Approval required to proceed (MS 720)	@ 18 Months	15 APR 08
6. Right-of-Way Plans Submittal (Task 45P)	@ 20 Months	15 JUN 08
LOCAL AUTHORITY Right of Way Match Due	@ 23 Months	15 SEP 08
7. Plans, Specifications & Estimate (PS & E) Submittal (70P)		
8. Plans, Specifications & Estimate (PS & E) Approval (80P)		
9. Obligated Funds for Advertising and Construction (MS 735)		
LOCAL AUTHORITY Construction Phase Match Due		

Policy Enforcement

When a project cannot meet the Implementation Milestones Schedule at any phase, The LOCAL AUTHORITY may request approval of a project one-time reschedule and must provide written justification to UDOT for why the project has fallen behind schedule. Information will include: Project status, Current phase of project implementation, and Funds obligated and spent on the Project.

When a project falls 12 months behind the currently approved Implementation Milestones, UDOT in conjunction with the MPO, if applicable, may recommend one of these options concerning the Project: (1) Reprogram the Project from a funded year to a concept development year on the STIP, (2) Recommend a change of scope and or funding for the Project as needed, (3) Hold approval of programming LOCAL AUTHORITIES future Federal Aid projects pending re-establishment of timely progress on this Project. If the LOCAL AUTHORITY is non-responsive to implement a recovery plan and schedule at any phase, a recommendation to the Transportation Commission to remove the project from the STIP will be made. This action may require the LOCAL AUTHORITY to repay any federal funds spent on the project. Repayment of funds would then be required prior to the programming of any future projects. All changes to the UDOT STIP are subject to Utah Transportation Commission approval.

## ENGINEER OF RECORD FORM

*(Must Be Submitted on Local Entity Letterhead)*

### LOCAL GOVERNMENT AGENCY (LGA) INFORMATION

Local Government Agency: \_\_\_\_\_

Local Government Representative: \_\_\_\_\_  
*(Print Name)*

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

email Address: \_\_\_\_\_

### CONTRACT INFORMATION

Advertisement Dates: \_\_\_\_\_

EOR Contract Term Limits:

Date EOR Selected: (1-5 Yr Selection Maximum) \_\_\_\_\_

Date EOR LG Contract Expires: \_\_\_\_\_  
*(Month/Day/Year)*

Consultant Firm Selected: \_\_\_\_\_  
*(Please Print)*

Consultant Representative: \_\_\_\_\_  
*(Please Print)*

Consultant Firm Selected For: *(Check All Applicable)*

- ☐ Bridge Design
- ☐ Environmental
- ☐ Utility
- ☐ Preconstruction
- ☐ Construction Engineering Management



**CONSULTANT INFORMATION**

*(Please fill in information indicated with an arrow)*

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

email Address: \_\_\_\_\_

**MISCELLANEOUS INFORMATION**

DBE Number/Type: \_\_\_\_\_

Tax Number: \_\_\_\_\_

Civil Rights Approval No: \_\_\_\_\_